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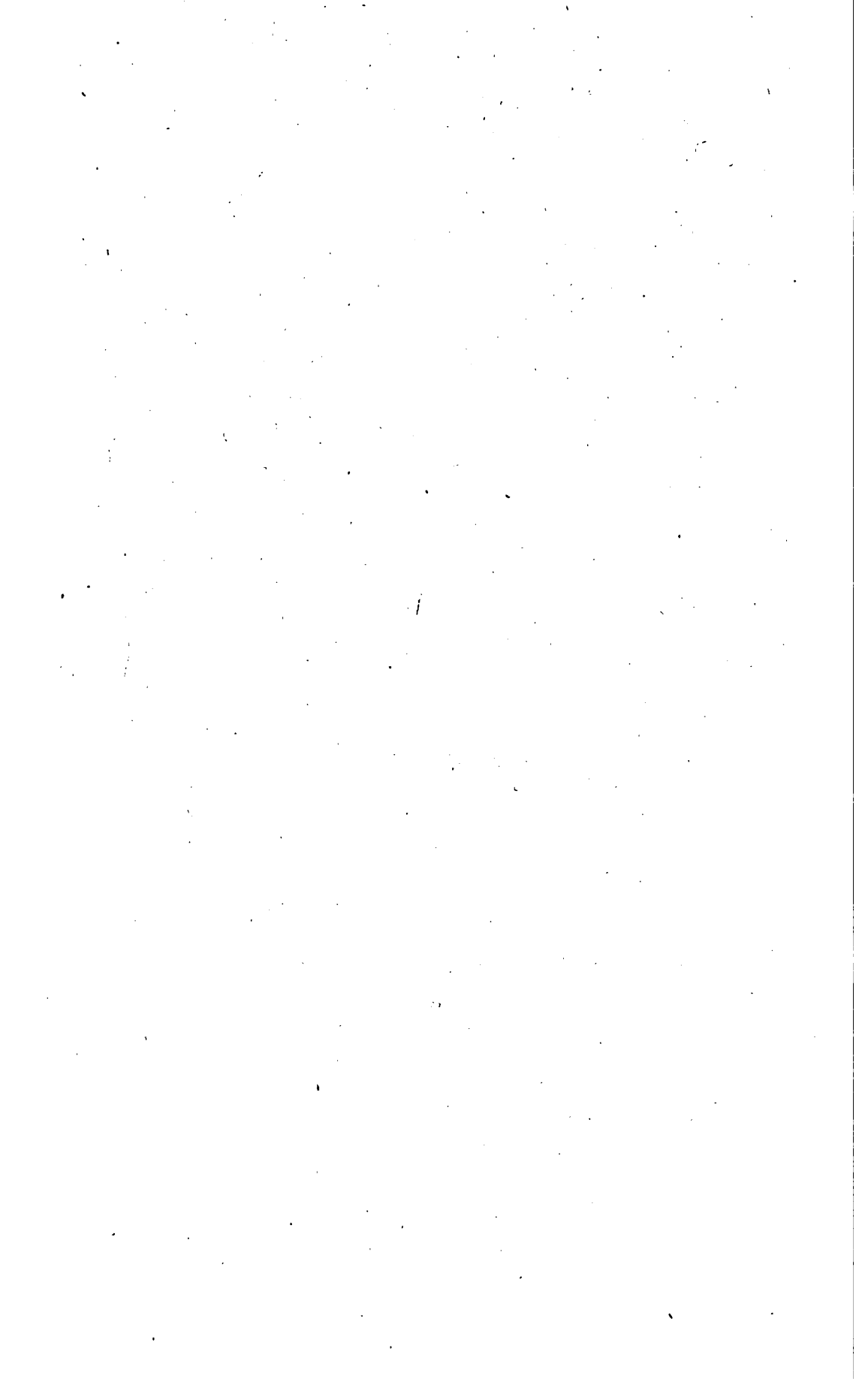
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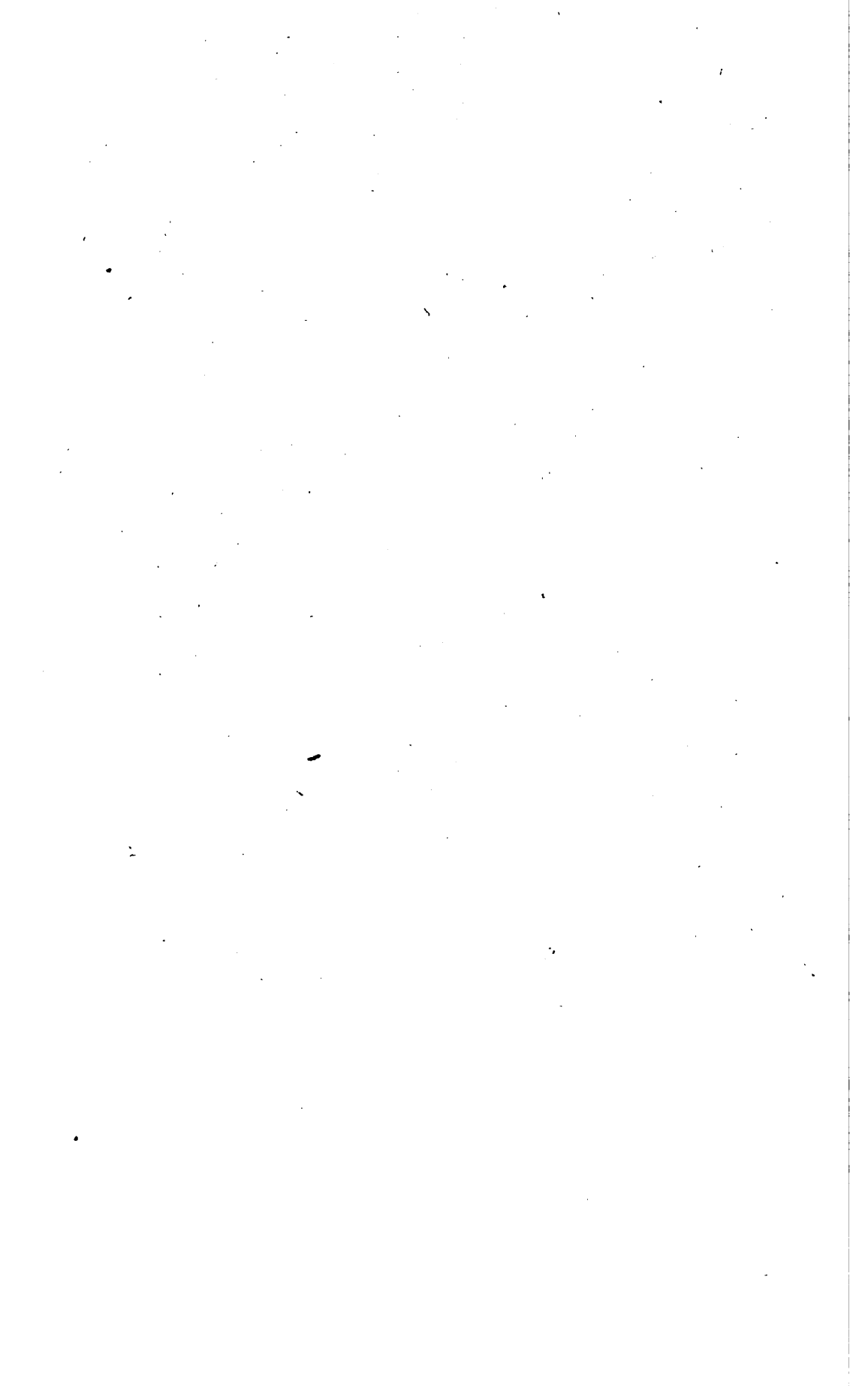
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# Bulletin

OF THE

# INTERNATIONAL LABOUR OFFICE

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## ERRATA IN VOL. VII.

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- Page 7, last paragraph, line 2 : For "rates" read "prices."  
Page 8, lines 6, 13 : For "time sheets" read "work tickets."  
Page 14, line 13 : For "right of assembly" read "right of association."  
Page 26, line 5 : For "1st May, 1910," read "1st May, 1810."  
Page 60, 9th line from the bottom : For "treating" read "treading."  
Page 61, line 2 : Begin a new paragraph at "where."  
Page 68, line 20 : For "hair works" read "articles from hair."  
Page 74, §31, line 1 : For "female person or a woman" read "female young person."  
Page 82, heading to VIII. : For "dressmaking" read "millinery."  
Page 92, Table, col. 1, line 6 : Begin a new paragraph at "nitro."  
Pages 95-103—Switzerland : Throughout the Act, for "Board of Arbitration" read "Board of Conciliation," except where it occurs in §8, line 2 ; §9, line 4 ; §11, line 3 ; §12, line 3, 7 ; §23, last line ; §24, line 1 ; §26, line 2.  
Page 106, 4th line from the bottom : For "by a commune" read "for a commune."  
Page 261, 7th line from the bottom : For "1st June" read "28th June."  
Page 287, §13, line 2 : For "before" read "altogether before and after."  
Page 348, No. 8, line 4 : For "1900" read "1910."  
Page 365, lines 7, 10, 15 : For "ordinary seamen" read "apprentices."  
Page 377, No. 56, line 10 : For "descendants" read "ascendants."  
Page 378, line 38 : For "flint glass" read "window glass."  
Ditto : Add at the bottom a new paragraph—  
"In glass works where bottles are manufactured by machinery, children under 16 years of age shall not be employed in gathering the glass to feed the machines, nor in working the machines."  
Page 383, 3rd line from the bottom : Insert before the word "likely" the word "ointment."  
Page 384, line 28 : For "making up" read "making of."  
Ditto, Table, col. II., last line but one : For "about" read "above."  
Page L., under Belgium, line 1 : For "VII." read "VI."





# Bulletin

OF THE

## INTERNATIONAL LABOUR OFFICE

[NOTE.—The German, French, and English editions of the *Bulletin* are referred to as G.B., F.B., and E.B. respectively.]

### International Labour Legislation

- I. *Rundschreiben des schweizerischen Bundesrats zum internationalen Uebereinkommen betreffend das Verbot der Verwendung weissen (gelben) Phosphors in der Zündholzindustrie.* (Vom 17. Juli, 1911.)

**Circular of the Swiss Federal Council on the International Convention\* respecting the prohibition of the use of white (yellow) phosphorus in the manufacture of matches.** (Dated 17th July, 1911.)

In a diplomatic communication of 11th July, 1911, the British Embassy in Berne, at the request of the Secretary for Foreign Affairs, informs the Swiss Federation that in England, up to that time, the importation of samples of matches made with white phosphorus is forbidden, as being an infringement of the International Convention relating to the prohibition of the use of white (yellow) phosphorus in the match industry, of 26th September, 1906.\*

From a correspondence exchanged between the British and German Governments, it appears that the latter is of opinion that §1 of the Convention relating to the importation of the said samples cannot be enforced.

As the British Government regards this point as of sufficient importance for communication to the signatories of the Convention, the Swiss Federation has the honour to announce the wish of the British Government to the Governments of those States which signed the International Convention—or have declared their adherence to it—relating to the prohibition of phosphorus. It takes the liberty, at the same time, of expressing its view that the questions of the principles of the Convention should apply to the importation of such samples, inasmuch as in §1 the importation of matches containing white (yellow) phosphorus is forbidden altogether and without restrictions.

The Swiss Federation would thank the respective Governments for an early intimation of their opinion respecting the question raised.

*Rundschreiben des schweizerischen Bundesrats zum internationalen Uebereinkommen betreffend das Verbot der Verwendung weissen (gelben) Phosphors in der Zündholzindustrie.* (Vom 20. Dezember 1911.) (Schweizerisches Bundesblatt 1912, I., 238.)

**Notification of the Swiss Federal Council on the International Convention respecting the prohibition of the use of white (yellow) phosphorus in the manufacture of matches.\*** (Dated 20th December, 1911.)

\* Text E.B. I., p. 275.



The following Notification has been addressed to the Governments on whose behalf the International Convention has been signed respecting the prohibition of the use of white (yellow) phosphorus in the manufacture of matches, viz. : Germany, Denmark, France, Great Britain, Italy, Luxemburg, The Netherlands, and Spain :

At the request of the British Government, in our circular letter of 17th July, we requested the Governments of the States on whose behalf the International Convention, dated the 26th September, 1906, concerning the prohibition of white phosphorus in the manufacture of matches, has been signed, to state their opinion on the question as to whether or not the importation of sample matches containing white phosphorus would constitute a contravention of the said International Convention.

The British Government on its part have answered the question in the affirmative, and we have expressed ourselves in similar terms in the Notification dated 17th July, 1911.

We have now the honour of submitting to you the various answers received in reply to the aforesaid question.

*ITALY.*—The Government is of opinion that the said International Convention also refers to the importation of sample matches containing white phosphorus, and that for this reason, the importation of such matches shall generally, and without any reservation whatsoever, be considered prohibited.

*GERMAN EMPIRE.*—The Government considers that the importation of sample matches containing white phosphorus does not come within the province of the prohibition of importing matches containing white phosphorus stated in Article I. of the said International Convention. Their opinion is based on the consideration that it would be quite in conformity with the spirit of the said International Convention to apply the prohibition only to the importation of matches containing white phosphorus for the purpose of industrial use, within the borders of Germany (inland), as a prohibition of this nature only would secure the protection of workers employed in the country. Similarly, the prohibition respecting the importation of phosphorus matches and fuses contained in the Imperial Act dated 10th May, 1902, should only be applied to importations for the purpose of industrial use, and it is only from this point of view that the German Government signified its adhesion to the International Convention. (Dated 24th August.)

*DENMARK.*—It is the opinion of the Government that Article I. covers also the importation of sample matches containing white phosphorus. (Dated 30th August.)

*THE NETHERLANDS.*—The Government considers that the importation of matches containing white phosphorus does not constitute a contravention of Article I. of the International Convention. If the said importation takes place in such quantities which cannot be regarded as coming under the head of commercial or general purposes, as, for instance, in cases where a traveller coming from abroad brings with him a box of matches containing white phosphorus, intended for his own personal use : this also applies to the importation of sample matches containing white phosphorus, provided very small quantities only are under consideration.

*FRANCE.*—The Minister of Foreign Affairs is of opinion, in conformity with the opinion of the Minister of Public Works and the Minister of Finance, that Article I. of the said International Convention prohibits the importation

of the aforementioned products in whatever quantities in question, *i.g.*, irrespective as to whether it is a question of samples or of whole consignments. As a matter of fact, the prohibition of the French tariff legislation applies to matches of all kinds and in whatever form they may be submitted, if they are imported for the use of private individuals. (Dated 31st August.)

*LUXEMBURG.*—In consideration of the close economic relations between the Grand Duchy and the German Empire, which are mutually bound by the agreements of the Tariff Union, the said two States have considered it desirable to decree uniform Acts in regard to the object under consideration. In these circumstances, the Government associates itself with the opinion expressed by the German Government. (Dated 16th November.)

*SPAIN.*—Article I. of the said International Convention prohibits, generally and without any reservation whatever, the importation into and the sale in the signatory States of matches containing white phosphorus, and no exception whatever can be made in regard to samples of these articles and trade connected therewith.

Further, in consideration that—

The intentions and main purposes expressed in the aforesaid International Convention consist in absolutely avoiding the dangers to which the health of workers is exposed, arising out of processes indissolubly connected with the manufacture of matches containing white phosphorus ;

That the importation of the said white phosphorus matches would be the logical consequence of their manufacture in those countries where they originate, and that the suppression of the said manufacture is aimed at by the International Convention ;

That this importation, which presupposes a previous manufacture, can have no other purpose but that of sale in the country into which they have been imported, and where the manufacture has been prohibited by virtue of the said International Convention, the result would be to encourage the sale, which would be equivalent to an actual privilege granted to those States from which the said samples have emanated ;

That, in addition, whilst on the one hand, the importation into Spain of matches of any kind is prohibited, both those containing white phosphorus, as well as their substitutes, on account of the monopoly held by the State for the manufacture and sale of productions of this kind, and for this reason alone, could not, on any account, be introduced into its territory, unless it be at the request of the Government and for Government purposes : it is necessary also to consider that the interpretation of the question arrived at by the British Government is of a general character for all the signatory States concerned, irrespective as to whether the phosphorus industry is free or monopolised ;

and finally, that the complete carrying out of Article I. of the said International Convention does not become obligatory until three years after its ratification, as far as the signatory Powers are concerned, and, as far as the States are concerned which have associated themselves with it, to which Spain must be added, not until five years, according to Article V., after the notification of the said adhesion, which time limit, in the case of Spain, will terminate on the 28th of October, 1914 ;

The Government is of opinion that—

(1) the prohibition of the importation of any kind of matches containing white phosphorus contained in Article I. of the International Convention extends to samples, and applies to private individuals as well as to the State;

(2) that the prohibition respecting the samples in question is not binding during the whole period of the time limit granted to each signatory State, prior to the said International Convention coming into operation.

We must consider the foregoing statement as a complete answer of the request addressed to us. In addition, however, we should like to add that we cannot conceive the object of sending samples of matches containing white (yellow) phosphorus to any of the signatory States, on account of the prohibition of sale to which the said productions will be subjected, as soon as the said International Convention comes into operation.

# National Labour Legislation

## 1. LAWS AND ORDERS

### I. German Empire

1. *Bekanntmachung, betreffend das Verfahren bei Anstellung, Kündigung und Entlassung von Angestellten und Beamten der Krankenkassen sowie bei Streitigkeiten aus deren Dienstverhältnissen.* (Nr. 3924.) Vom 1. August, 1911. (Reich-Gesetzblatt 1911, Nr. 44, S. 863.)

**Notification respecting the procedure of engaging and dismissing workers and officials of sick funds, as well as disputes arising out of their working conditions. No. 3924.** (Dated 1st August, 1911.)

2. *Bekanntmachung betreffend die Einrichtung von Steinbrüchen und Steinhauereien (Steinmetzbetrieben).* (Nr. 3959.) Vom 20. November, 1911. (Reichs-Gesetzblatt 1911, Nr. 61, S. 955.)

**Notification respecting the equipment of stone quarries and stone masonries. No. 3959.** (Dated 20th November, 1911.)

In pursuance of §120e of the Industrial Code, the Federal Council has decreed to alter §10, paragraph 4, of the Notification relating to the equipment of stone quarries and stone masonries, dated 31st May, 1909 \* (Reichsgesetz Bl., pp. 471 and 971), as stated below :—

The higher administrative authorities may grant permission, which is liable to revocation, to employ women workers who had been employed in connection with clearing operations, or transporting or loading of rubbish or refuse (paragraphs 1 and 3) prior to the 1st July, 1909, at the aforesaid work, until further notice.

Employers who intend to employ women workers on the aforementioned kinds of work beyond the 31st of December, 1911, shall submit to the competent Industrial Inspectors, on or before the 1st of January, 1912, a list of names of these women workers, containing also their place of residence and date of birth. At the request of Industrial Inspectors and the Police Authorities, permission shall be granted at any time for the inspection of wages lists.

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\* Text E.B. IV., p. 165.

3. *Bekanntmachung, betreffend die Beschäftigung von Arbeiterinnen auf Steinkohlenbergwerken, Zink- und Bleierzbergwerken im Regierungsbezirk Oppeln.* (Nr. 3960.) Vom 24. November, 1911. (Reichs-Gesetzblatt 1911, Nr. 61, S. 956.)

**Notification in regard to the employment of women workers in coal, zinc, and lead mines within the administrative district of Oppeln. No. 3960.** (Dated 24th November, 1911.)

In pursuance of §139a of the Industrial Code, the Federal Council has decreed the following Regulation :—

The employment of women workers in coal, zinc, and lead mines within the administrative district of Oppeln, in conformity with II. and III. of the Regulations in regard to the employment of women workers in coal, zinc, and lead mines and in coking plants within the administrative district of Oppeln (Notification dated 24th March, 1892; Reichsgesetzblatt, p. 331), and in conformity with additional regulations respecting the employment of women workers in coal, zinc, and lead mines within the administrative district of Oppeln (Notification dated 20th March, 1902\*; Reichs-gesetzblatt, p. 77), shall be permitted until the 1st April, 1922, in accordance with the Regulations contained therein, and the Order given at the end of the Notification respecting the employment of women workers in coal, zinc, and lead mines within the administrative district of Oppeln, dated 12th April, 1907† (Reichs-gesetzblatt, p. 93), and provided, in addition, that the Regulations of §154a, paragraph 2, sentence 2, and §5, paragraph 1, sentence 1, of the Act dated 28th December, 1908‡, to amend the Industrial Code (Reichs-gesetzblatt, p. 667), shall remain unimpaired.

4. *Bekanntmachung, betreffend die Beschäftigung von Arbeiterinnen und jugendlichen Arbeitern in Rohzuckerfabriken, Zuckerraffinerien und Melasseentzuckerungsanstalten.* (Nr. 3962.) Vom 24. November, 1911. (Reichs-gesetzblatt 1911, Nr. 62, S. 958.)

**Notification respecting the employment of women and young persons in sugar factories, sugar refineries, and undertakings for extracting sugar from molasses. No. 3962.** (Dated 24th November, 1911.)

In pursuance of §120e of the Industrial Code, the Federal Council has decreed the following Regulations respecting the employment of women and young persons in sugar factories, sugar refineries, and undertakings for extracting sugar from molasses.

I. The employment of women and young persons in sugar factories, sugar refineries, and undertakings for extracting sugar from molasses, shall be subject to the limitations contained in the following :—

(1) Women and young persons shall not be employed for the purpose of steeping and washing roots, attending lifts, or for the transport or shifting of roots or slices in wagons which are with difficulty set in motion.

(2) Women and young persons shall not be employed, nor shall they be permitted to remain during the hours of work in places where high temperatures prevail, such as the charging rooms, the centrifugal rooms, crystallising rooms, drying rooms, mash-rooms, suction rooms, the rooms for bottoming clay sugar, and other places where the conditions are similar.

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\* Text G.B. I., p. 143, No. 8.

† Text E.B. II., pp. XXXII., 168.

‡ Text E.B. III., p. 335.

(3) In all rooms where women and young persons are employed, a table showing the foregoing Regulations in clear print shall be hung up, in addition to the table to be exhibited in conformity with §138, paragraph 2, of the Industrial Code.

II. The foregoing Regulations shall come into force on the 1st April, 1912, and in place of the Regulations proclaimed in the Notification by the Imperial Chancellor dated 5th March, 1902\* (Reichs-gesetzblatt, p. 72), in regard to the employment of women and young persons in sugar factories, sugar refineries, and undertakings for extracting sugar from molasses.

5. *Hausarbeitsgesetz* (Nr. 3980). Vom 20. Dezember, 1911. (R.G.Bl. 1911, Nr. 68, S. 976.)

**Home Work Act (No. 3980).** (Dated 20th December, 1911.)

1. Relating to workshops in which—

- (1) a person employs industrially only members of his own family ;
- (2) one or more persons undertake industrial work without being engaged by the employer directing the undertaking—the regulations laid down in this Act shall apply, in conjunction with the existing regulations. Those workshops shall be exempt where such work is undertaken which is intended only for the personal requirements of the buyer or members of his family.

The persons referred to in paragraph 1 (1) and (2), shall be considered as home workers within the meaning of the following Regulations, except in so far as they are excluded therefrom in accordance with the second sentence.

2. Within the meaning of this Act—

- (1) rooms serving as bed or living rooms, or in which cooking is performed, shall be considered workshops in conjunction with those workshops within the meaning of §105b, paragraph 1, of the Industrial Code (Gewerbeordnung), if industrial work is undertaken and performed therein, as well as workplaces situated in the open air ;
- (2) any work shall be considered industrial employment or work which is classified as industrial within the meaning of the Industrial Code ;
- (3) by industries shall be understood those industries within the meaning of the Industrial Code ;
- (4) industrial inspectors shall mean industrial inspectors within the meaning of §139b of the Industrial Code.

3. In those rooms in which work is given out to home workers, or received from such persons, unless the rooms are workshops within the meaning of §1, paragraph 1, second sentence, the home workers shall be given the opportunity of satisfying themselves as to the current wages paid in connection with the different work given out in these rooms, by the posting up of wages-lists and wages-tables. This regulation shall not apply to the manufacture or working out of new patterns.

The Federal Council may issue detailed Orders for carrying out this regulation, applying, if necessary, to individual districts. It may grant exceptions to certain industrial branches at the instigation of interested persons.

The Federal Council may order that, in so far as the wages are expressed in rates, these latter shall be made public, in accordance with paragraphs 1 and 2.

\* Text G.B. I., p. 138, No. 5.

The Orders of the Federal Council shall be published in the *Reichs-Gesetzblatt*, and submitted to the *Reichstag* for its information.

4. Any person who gives out work to home workers shall be obliged, so long as the distribution does not take place in such workshops as referred to in §1, paragraph 1, second sentence, to provide the recipients of the work, at his own expense, with wages books or time sheets, which shall state the kind and extent of the work, and the wages and prices fixed in connection therewith. This regulation shall not apply to the manufacture or working out of new patterns.

The Federal Council may make exceptions to certain industrial branches or special groups of undertakings or home workers upon the proposal of interested persons.

Where the Federal Council has prescribed wages books or time sheets, in pursuance of §114a of the Industrial Code, the regulations contained in paragraphs 1 and 2 shall not apply.

5. Upon the proposal of the industrial inspector the competent police authorities may issue orders for certain industrial branches, requiring the adoption of whatever measures may be necessary as regards the equipment of the workplaces and the regulation of the work in the rooms referred to in §3, paragraph 1, in order to avoid loss of time which is not justified by the nature of the work, to the home workers when receiving or delivering work, and which may seem practicable, considering the nature of the undertaking. Suitable time shall be given for carrying out the Order.

Undertakings which were in existence prior to the enactment of this Act shall only be subject to such Orders as can be carried out without disproportionate expenditure until they are to be enlarged or essentially altered.

Appeal may be lodged against this Order with the higher administrative authorities within two weeks. Their decision shall be final.

6. Where the nature of employment in certain industrial branches may give rise to dangers to life, health, and morality, the competent police authorities may, at the request of the industrial inspector, order certain workshops to adopt such measures as are considered necessary for carrying out the following requirements:—

(1) The workshops, as well as the working arrangements, machinery and utensils, shall be so arranged and maintained as to protect the home workers from danger to life and health, as far as the nature of the undertaking will permit.

Special care shall be taken to ensure good light, sufficient air-space and ventilation, the removal of dust and waste created during manufacture, as also of vapours and gases.

Proper arrangements shall be made for preventing dangerous contact with machines or parts thereof, and for the protection against other dangers arising in the industry or the workshop.

(2) Special consideration shall be paid to the health and morality of male home workers under eighteen years of age and of female home workers, as far as their age and sex may necessitate.

(3) Work shall only be undertaken in rooms exclusively set aside for that purpose, if the protection of life and health so requires.

For the purpose of carrying out No. (2), the regulations laid down in §5, paragraph 1, and §13, paragraphs 1 and 2, of the Act relating to the employment of children in industrial undertakings, dated the 30th March, 1903\*

\* Text G.B. II., p. 1, No. 2.

(Reichs-Gesetzblatt, p. 113), may be exceeded in so far as to render the employment of a worker's own children, or those of other parentage, within the meaning of that Act, dependent upon attaining a higher age-limit, or to prohibit it altogether. With reference to other home workers under sixteen years of age, the commencement and termination of the permissible daily hours of work, as well as the length of the intervals and the time when they are to be taken may be determined.

Further, employment during Sunday and holidays may be prohibited, as well as during those hours which have been fixed by the pastor for confirmation, catechism, confessional, and other religious exercises.

7. Where danger to public health may occur in certain industrial branches, particularly in such as are devoted to the production, manufacture, and packing of foodstuffs, the competent police authorities may instruct certain workshops or workplaces in regard to the arrangement and maintenance of these and of the store-rooms, as also in regard to the general management, machines and utensils, and in regard to the regulation of the undertaking, with a view to avoiding such dangers.

Furthermore, the police authorities may order that rooms in which foodstuffs are made and manufactured shall not be used for any other purposes.

The regulations contained in paragraphs 1 and 2 shall also apply to the workshops referred to in §1, paragraph 1, second sentence.

8. Except where the Orders in pursuance of §§6 and 7 relate to the removal of urgent danger, a certain time shall be granted for the carrying out of the said Orders. Undertakings which were in existence prior to the enactment of this Act, shall, until they are to be enlarged or essentially altered, only be subject to such Orders which aim at the removal of serious defects endangering the life or health of the home workers, or the public health, or Orders which can be carried out without disproportionate expenditure.

9. Orders in pursuance of §§6 and 7 shall be addressed to the person who has authority to let the room in actual use as workshop or storeroom.

Orders concerning the regulation of the undertaking in pursuance of §7, paragraph 1, shall be addressed to the home workers, in the case contemplated in §1, paragraph 1, second sentence.

Any appeal against the Order may be lodged with the higher administrative authorities within fourteen days. Their decision shall be final.

10. The Federal Council may determine what requirements shall be satisfied in particular cases for the purpose of carrying out the rules contemplated in §§6 and 7 in the workshops or storerooms there designated.

It may prohibit the performance of work which is attended with considerable dangers to the life, health, and morality of the home worker or to the public health.

In cases where the Federal Council issues no Regulations, the central authority of a State, or the competent police authorities, may do so by means of police Regulations, after hearing the employers and home workers concerned in the matter.

The Federal Council and the central authority of a State may also issue their Regulations for separate districts. The Regulations of the Federal Council shall be published in the *Reichs-Gesetzblatt* and submitted to the *Reichstag* for its information.

11. The person who has authority to let the room which is used as a workshop or storeroom shall be held responsible for the observance of the Regulations made in pursuance of §§6, 7, and 10. For the observance of the



Regulations in regard to regulating the undertaking, made in pursuance of §7, paragraph 1, §9, paragraph 2, and §10, in the case contemplated in §1, paragraph 1, second sentence, the home workers themselves shall alone be held responsible.

12. Should any person desire to undertake certain home work, with reference to which Regulations have been issued in pursuance of §10, paragraphs 1 and 3, the person responsible according to §11, first sentence, shall be bound to inform the local police authorities in writing prior to the commencement of the work, describing at the same time the location of the workshop.

13. Industrial employers who cause industrial work to be performed in workshops outside their own shall be bound—

(1) to keep a list of the persons to whom they give out work, or by whom the distribution takes place outside the workplace of the industrial employer, describing the workplace of such persons. The list shall be produced or submitted for inspection at any time at the request of the local police authorities, as well as of the industrial inspector ;

(2) to give out home work to such workshops only in regard to which they have received proofs that the rooms in which the work is to be undertaken satisfy all the requirements in so far as the furnishing of the said proofs is prescribed.

The obligation of so doing shall rest with those persons who, without possessing a workshop, distribute work to home workers on behalf of industrial employers outside their workshops.

14. The local police authorities may, after hearing the respective employers and home workers, determine by police order, the form of the lists, and whether, and at what intervals, they shall be submitted in the original, or copies, to the authorities referred to in §13, paragraph 1 (1).

15. With reference to industrial branches which are devoted to the production, manufacture, or packing of foodstuffs, industrial employers who cause industrial work to be undertaken in workshops outside their own, as well as persons referred to in §13, paragraph 2, shall be obliged by regulations made in pursuance of §10, paragraphs 1 and 3, to satisfy themselves personally or through authorised persons that the equipment and management of the workplaces satisfies all requirements. This shall be done at suitable intervals of time, and at least every six months.

16. As far as regulations have been laid down in pursuance of §10 for the purpose of carrying out §§7 and 15, they may be extended by order of the local police authorities to undertakings in which persons find employment who may be considered industrial workers within the meaning of the Industrial Code.

17. Unless the Federal Council or the Government of a State regulates the supervision otherwise, §139b of the Industrial Code shall apply.

An inspection during the night shall only take place if facts give rise to the suspicion that the regulations made in pursuance of §§6, 7, and 10 are not being complied with.

18. The Federal Council, in reference to certain industrial branches and districts where home workers are employed, may pass a resolution for the purpose of establishing industrial committees. The resolution may also be passed for particular parts of the empire. The industrial branches, or parts of industrial branches, in respect of which the aforesaid industrial committees

shall be established, as well as the district and headquarters of the said committees, shall be defined in the before-mentioned resolution. Alterations may be undertaken in a similar manner.

19. The industrial committees shall—

(1) Assist the State and local authorities by furnishing actual information, as well as expert opinion.

If requested by the State and local authorities, they shall co-operate in the collecting of facts relating to the industrial and economic conditions of those industrial branches which they represent in their district, as well as in furnishing expert opinion, especially in regard to :

(a) the carrying out of §§3, 4, 10, 14 to 16 of this Act ;

(b) the customary intercourse between industrial employers and home workers in their district relating to the interpretation of agreements and fulfilment of obligations ;

(2) Consider requests and proposals relating to the industrial and economic conditions of the industrial branches represented by them in their district ;

(3) Promote institutions and measures having for their object the raising of the economic condition and the welfare of the home worker, and to co-operate, if requested by the representatives of such institutions, in their administration ;

(4) Ascertain, at the request of the State and local authorities in a suitable manner, especially by taking evidence from industrial employers and home workers concerned, as well as from experts, the actual amount of the wages earned by home workers, to give an opinion as to the adequacy of such rate of wages, and to submit suggestions for procuring more adequate remuneration by agreement ; and

(5) Further, in any way practicable, the conclusion of wages agreements or collective contracts.

20. Matters which concern solely the conditions of a single undertaking shall not come under the consideration of the industrial committees.

21. The industrial committees shall consist of an equal number of representatives of industrial employers and of home workers concerned, as also of a president and two assessors. The president, as also the two assessors, shall possess the requisite technical knowledge. The president shall be neither an industrial employer nor a home worker.

Should female home workers be employed in a comparatively large number, they shall be adequately represented amongst the home workers.

22. The provincial authority shall fix the number of representatives. It shall appoint the president and assessors, and, after hearing industrial employers and home workers concerned, it shall appoint one-half of the representatives of each side. The other half shall be elected by a majority of the representatives of the industrial employers and home workers.

Should the district of an industrial committee extend over several Federal States, the appointments shall be effected by the interested State authorities in agreement.

23. Expert opinions, in accordance with §19 (1) and (4) shall be issued with the participation of an equal number of industrial employers and home workers. Whenever these consult together as to the manner of issuing an expert opinion, each party of representatives representing the industrial employers and the home workers respectively shall vote separately. Should the voting show that all the representatives of the industrial employers, on the one hand, and all the representatives of the home workers, on the other

hand, entertain opposite views on the question at issue, the expert opinion shall not be put forward. In this case, both parties shall be entitled to express their opinion in writing, stating at the same time the grounds upon which the said opinion has been based, and to submit this record to the president of the industrial committee. In all cases where a valid resolution has been arrived at, the minority shall be accorded a similar right. The said record shall be appended by the president of the industrial committee to the transactions, and shall be submitted to the authority in question.

24. The Federal Council shall issue all further regulations governing the establishment and composition of industrial committees, together with the method of procedure.

25. The expenditure incurred by the industrial committees shall be liquidated by the Federal States where such committees have been established. In the event of an industrial committee having been established in a district comprising the territory of several Federal States, the expenses shall be discharged in accordance with an agreement arrived at between the several participating States. The Federal Council shall decide all cases upon which an agreement shall not have been realised. The State Legislatures may determine to what extent communes, groups of communes, or the legal commercial representative bodies shall place their offices at the disposal of the industrial committees, including heating and lighting, free of charge.

26. The central authority of each Federal State shall issue notifications within their territory as to what authorities shall come within the meaning of the following denominations: Higher administrative authority, police authorities, local police authorities.

27. The remuneration paid to home workers shall be held to be payment for work done or services rendered within the meaning of the Act relating to the seizure of wages or monies paid for services rendered.

28. Any persons violating the regulations finally issued for the purpose of enforcing §6, paragraph 2, first sentence, or the regulations issued in accordance with §10, paragraphs 1 and 3, shall be liable to the following penalties:

(1) In regard to children, other than their own, to a fine not exceeding 2,000 marks;

(2) In regard to their own children, to a fine not exceeding 150 marks.

Habitual offenders shall be subject to a term of imprisonment (Gefängnis) not exceeding six months in the case named under (1), and in the case named under (2) they shall be liable to detention (Haft).

In the case named under (1), §75 of the Code of Judicial Procedure (Gerichtsverfassungsgesetz) shall apply.

29. The following shall be liable to a fine not exceeding 150 marks or, in default, to a term of detention not exceeding four weeks:

(1) Without prejudice to the provisions of §31, the persons referred to in §11, paragraph 1, should they violate the regulations finally decreed in pursuance of §6, paragraph 1, or paragraph 2, second sentence, §7, or the regulations issued in pursuance of §10;

(2) Any person who shall cause industrial work to be performed outside his own workshop in work places as defined in §1 of which he knows, or should know in the circumstances, that their equipment or management does not conform to the regulations issued in pursuance of §10.

In the case named under (2) should the offending person have been twice previously convicted at the time of committing the offence for a transgression of a similar nature, he shall be liable to a fine of from 30 marks up to 300 marks, or to a term of detention not exceeding four weeks. The application of this regulation shall be omitted in cases where three years have elapsed since the conviction of the aforesaid person up to the time of his latest offence.

30. The following shall be liable to a fine not exceeding 30 marks, or to a term of detention not exceeding eight days :

(1) Any person omitting to comply with the regulations laid down in §3, paragraph 1, §§4, 12, and 13 ;

(2) Any person acting contrary to the regulations issued in pursuance of §5, paragraph 1, or violating the regulations issued in pursuance of §3, paragraph 2, first sentence, or paragraph 3, and §14.

31. A fine not exceeding 30 marks shall be imposed upon home workers who employ members of their own family [§1, paragraph 1 (1)] and the home workers referred to in §1, paragraph 1 (2) who offend against the regulations issued in pursuance of §7, paragraph 1, §9, paragraph 2, and §10.

A similar fine shall be imposed upon home workers who employ only members of their own family [§1, paragraph 1 (1)], if they allow members of their own family employed by them to act contrary to the regulations drawn up with a view to regulating the work.

32. Where, in connection with the carrying out of industrial work, police orders have been violated by persons appointed by the industrial employers with a view to managing the undertaking, or a part of the same, or for supervising, the aforesaid persons shall be held responsible.

The industrial employer himself shall be held liable as well should the aforesaid violation of the police orders have been committed with his full knowledge. The same regulations shall apply should he have shown want of care in the supervision of the undertaking personally, so far as the conditions allowed, or when appointing or supervising the manager or other persons appointed for the purpose of supervising.

33. Orders issued by the Government of a State with a view to regulating the conditions of rooms intended for living or industrial purposes, or for preventing or avoiding danger to life and health, shall still remain in force, in so far as no more far-reaching regulations have been made in pursuance of this Act.

34. The date on which §§3 and 4 shall come into force shall be fixed by an Imperial Decree, with the assent of the Federal Council.

In other respects the Act shall come into force on the 1st April, 1912.

6. *Gesetz, betreffend die Aufhebung des Hilfskassengesetzes (Nr. 3981). Vom 20. Dezember, 1911. (R.G.Bl. 1911, Nr. 68, S. 985.)*

**Act concerning the repeal of the Friendly Societies Act.** (Dated 20th December, 1911.)

1. The Act concerning registered friendly societies (Reichsgesetzblatt 1876, page 125 ; 1884, page 54) shall be repealed.

2. The following words shall be omitted in §122 of the Act concerning private insurance societies (Reichs-Gesetzblatt, 1901, page 139) :

"the societies established in conformity with the Act dated the 1st June, 1884 (Reichs-Gesetzblatt, page 54), in pursuance of the Act concerning registered friendly societies, dated the 7th April, 1876."

To this §122 the following Sub-section shall be added :

“The participating State Governments may determine the date from which the societies referred to in §§1 and 2 established in pursuance of regulations issued by the authorities of a State shall be subject to this Act, and may issue the requisite regulations for the purpose of carrying out this Order.”

3. The regulations of the Imperial and State Acts concerning registered friendly societies and their members shall be applicable to mutual insurance societies which are authorised to insure their members against sickness, and to these members.

4. As regards insurance societies referred to in §3, their religious or political conviction, their activity outside their official duties, and the exercising of the right of assembly on the part of the members, the executive or the officials, shall not in themselves be considered a reason for refusing permission to carry on an insurance undertaking in accordance with §7, Sub-section 3, of the Act concerning private insurance undertakings, unless the Acts are contravened.

The interests of the insured shall not be held to be endangered, nor shall the management be considered to have committed a breach of morality (*gute Sitten*) within the meaning of §§64 and 67 of the Act relating to private insurance enterprises, on account of their religious or political convictions, their activity outside their official duties, and the exercising of the right of assembly on the part of the members, the executive, or the officials, unless the Acts are contravened.

5. As regards societies referred to in §6, the general meeting shall be proclaimed at least four weeks prior to its taking place, in accordance with the procedure laid down in the rules. Should the rules require the election of representatives of the insured, the date of the election shall be published four weeks previously. Fourteen days at least shall be allowed to elapse between the general meeting and the date of the aforesaid election of representatives. Travelling expenses incurred within the empire, as well as other expenses entailed in the election, and loss of wages, shall be reimbursed to the elected representatives in accordance with the detailed provisions of the rules.

As regards these societies, the members shall not be barred from taking legal proceedings for the recovery of claims ; but regulations shall be available in accordance with which the claim of a member or separate details of the said claim shall be submitted to arbitration, subject to the condition that the arbitration award shall not be binding upon the member until one month has elapsed from the date of announcement to the member and provided that he has not meanwhile taken legal steps for the recovery of his claim.

6. Insurance societies whose business comes under the heading of §508 of the Imperial Insurance Code (*Reichsversicherungsordnung*) shall then be recognised as minor societies (§53 of the Act concerning private insurance enterprises) if they do not make payments in cases of death, or if the said payments do not exceed 300 marks. At their request the supervising authorities may decide differently. The insurance societies shall accumulate a reserve fund amounting to at least one year's expenditure, taking as a basis the average of the last five years, and shall maintain the said reserve fund up to this amount. As long as the reserve fund does not reach the required amount, at least one-twentieth of the annual subscriptions shall be applied to that purpose.

§§11, 12, and §115, paragraphs 2 and 3, of the Act concerning private insurance societies, shall not be applicable to these insurance societies.

7. They may establish for certain districts local administration offices (departments, branch societies). The rules of the insurance society shall govern their constitution and their powers.

The attestation of the supervisory authorities with reference to the composition of the administrative departments of the insurance societies and their local administrative offices shall be made free of charge.

8. Insurance societies, as referred to in §6, may, in pursuance of agreed resolutions passed at the general meetings, and in pursuance of a separate set of rules, combine to form one association for the purposes of—

(1) Appointing a joint accountant and other joint officials, as also for the establishment of a joint medical controlling department ;

(2) Concluding joint agreements with medical practitioners, apothecaries, hospitals, and contractors for medical supplies, and for meeting other requirements relating to nursing ;

(3) Erecting and maintaining joint institutes for curing and nursing members, as well as caring for convalescent persons.

9. Insurance societies which, at the time this Act comes into force, are authorised to carry on insurance business under the Act relating to registered friendly societies, or which are authorised as societies established by regulations issued by State authorities, at the time a regulation relating to them in accordance with §2, paragraph 2, comes into force, shall not require further permission under the Act relating to private insurance societies, for the purpose of continuing their insurance business within the granted limits, except as regards §503 of the Imperial Insurance Code.

10. The following words shall be omitted in §190 of the Act relating to insurance agreements (R.G.Bl. 1908, p. 263): "at the societies registered in pursuance of the Act relating to registered friendly societies" (R.G.Bl. 1876, p. 125 ; 1884, p. 54).

Only the §§1 to 22, 31 to 48, 164, 188, 189, 194 of the provisions of the Act relating to insurance agreements shall be applied to mutual insurance societies which are authorised to undertake the insurance of their members against sickness, and to these members themselves. Further, §§159, 173 to 178 shall be applied to societies which pay more than 300 marks in the event of death. The party insuring may not appeal against an agreement by reason of which a breach of the provisions of §164 of the Act relating to insurance agreements has taken place to his loss.

§3, §4, sub-sections 1-5, and §6 of the introductory Act to the Act relating to insurance agreements shall be correspondingly applied to those societies which are authorised to carry on business in pursuance of the Act relating to registered friendly society, at the time at which this Act comes into force.

11. The resolution of a registered aid society with reference to its dissolution or its association with another undertaking shall be subject to the sanction of those authorities which would be competent to deal with the matter should the registered friendly society come under the Act relating to private insurance societies.

This authority shall decide in pursuance of the provisions of the Act relating to private insurance societies. The supervision of the liquidation shall be subject to the same provision.

12. §11 shall come into force at once. The date on which the other provisions of this Act shall come into force shall be fixed by an Imperial Decree with the assent of the Federal Council.

7. *Bekanntmachung, betreffend das Verfahren vor dem Kaiserlichen Aufsichtsamt für Privatversicherung im Falle des §1321, Abs. 3 Satz 2 der Reichsversicherungsordnung (Nr. 3999).* Vom 20. Dezember, 1911. (Reichs-Gesetzblatt 1911, No. 73, S. 1155.)

**Notification in regard to the procedure before the Imperial Supervisory Board for private insurance in cases where §1321, paragraph 3, sentence 2, of the Imperial Insurance Code is applicable.\* No. 3999.** (Dated 20th December, 1911.)

8. *Bekanntmachung, betreffend Uebergangsbestimmungen für die Invaliden- und Hinterbliebenenversicherung nach der Reichsversicherungsordnung (Nr. 3991).* Vom 21. Dezember, 1911. (Reichs-Gesetzblatt 1911, No. 70, S. 1130.)

**Notification respecting the temporary Regulations in regard to Invalidity Insurance and the insurance of dependants in accordance with the Imperial Insurance Code.\* No. 3991.** (Dated 21st December, 1911.)

9. *Bekanntmachung, betreffend Uebergangsbestimmungen zur Reichsversicherungsordnung (Nr. 3992).* Vom 22. Dezember, 1911. (Reichs-Gesetzblatt 1911, No. 70, S. 1132.)

**Notification in regard to temporary Regulations in pursuance of the Imperial Insurance Code.\* No. 3992.** (Dated 22nd December, 1911.)

10. *Bekanntmachung, betreffend Uebergangsbestimmungen zur Reichsversicherungsordnung (Nr. 3993).* Vom 23. Dezember, 1911. (Reichs-Gesetzblatt 1911, No. 70, S. 1133.)

**Notification in regard to temporary Regulations in pursuance of the Imperial Insurance Code\* No. 3993.** (Dated 23rd December, 1911.)

11. *Bekanntmachung, betreffend die Einrichtung und den Betrieb gewerblicher Anlagen, in denen Thomasschlacke gemahlen oder Thomasschlackemehl gelagert wird (Nr. 3998).* Vom 23. Dezember, 1911. (Reichs-Gesetzblatt 1911, No. 72, S. 1153.)

**Notification in regard to the equipment and the management of industrial undertakings for grinding Thomas-slag or storing slag meal. No. 3998.** (Dated 23rd December, 1911.)

In pursuance of §120 (e) of the Industrial Code, the Federal Council has resolved to revise §§1, 9, and 20 of the notification in regard to the equipment and management of industrial undertakings for grinding Thomas-slag or storing Thomas-slag meal, dated 3rd July, 1909† (Reichs-Gesetzblatt 1909, pp. 543 and 978) as follows :

1. Rooms where Thomas-slag is being disintegrated or ground or stored, and the stores for Thomas-slag meal must be lofty, and so arranged that a thorough ventilation can be obtained throughout them.

They shall be provided with smooth and firm floors from which any dust can easily be removed.

9. Sacks for containing, storing, or dispatching slag meal shall be of the same strength and thickness as those which are known in the trade as "prime hessians No. 425." Sacks intended to contain slag meal which are being stored in stacks of over 3·5 metres high, or are to be dispatched by water, shall be of the quality known as "prime hessians No. 455."

\* Act of July 19th, 1911. Title E.B. VI., p. 231.

† Text E.B. IV., p. 167.

The higher administrative authorities shall be empowered, after hearing the competent industrial inspectors, to grant revocable permission to such undertakings to use sacks of the same quality as "prime hessians No. 365" for the transport of slag meal, where the filling of the material is performed without the creation of dust, as far as this is mechanically possible, and where the arrangements for removing dust and other hygienic applications are satisfactory, and when the slag meal is immediately dispatched by rail or road to agriculturalists for their own use.

Provided the storing of slag meal is not of a temporary character, it shall be done in special workrooms isolated from the remaining rooms. Only those sacks containing the previous day's production shall remain in the mill proper.

Stacks of sacks shall only be erected upon solid and level floors, and by experienced persons, or under the supervision of such persons.

In free corners, stacks shall be so erected that, as far as possible, the sacks are in bond in the external layer, otherwise in steps of more than five sacks, or, at least, in a sloping position.

The removal of sacks shall commence at the top, and shall likewise only be done by experienced persons, or under the supervision of such persons, whilst the sloping position shall also be maintained. The removal of sacks from the bottom layer shall be prohibited.

20. The foregoing regulations shall come into operation immediately, and in place of the regulations proclaimed in the notification by the Imperial Chancellor, dated 25th April, 1899, and 15th November, 1903,\* respecting the equipment and the management of industrial undertakings for grinding Thomas-slag or storing slag meal.

The regulations contained in §1, §9, paragraph 3, §§12, 13, 17, 18, and 19 shall not be applied to such storehouses of slag meal in which this is permanently stored in sealed sacks, and which are not connected with undertakings where the disintegration of Thomas-slag takes place.

Up to the 31st December, 1912, permission shall be given to utilise sacks for the packing, storing, and despatch of Thomas-slag meal which do not conform with the regulations contained in §9, paragraph 1.

12. *Verordnung über Geschäftsgang und Verfahren des Reichsversicherungsamts* (Nr. 3987). Vom 24. Dezember, 1911. (Reichs-Gesetzblatt 1911, Nr. 70, S. 1083.)

**Order in regard to the management and procedure of the Imperial Insurance Office. No. 3987.** (Dated 24th December, 1911.)

13. *Verordnung betreffend die Gebühren der Rechtsanwälte im Verfahren vor den Versicherungsbehörden* (Nr. 3988). Vom 24. Dezember, 1911. (Reichs-Gesetzblatt 1911, Nr. 70, S. 1094.)

**Order in regard to the fees of solicitors in proceedings before the Insurance Authorities. No. 3988.** (Dated 24th December, 1911.)

14. *Verordnung über Geschäftsgang und Verfahren der Obergesamversicherungsämter* (Nr. 3898). Vom 24. Dezember, 1911. (Reichs-Gesetzblatt 1911, No. 70, S. 1095.)

**Order in regard to the management and procedure of the Superior Insurance Offices. (No. 3989.** (Dated 24th December, 1911.)

\* Text G.B. II., p. 488, No. 4.



15. *Verordnung über Geschäftsgang und Verfahren der Versicherungsämter* (Nr. 3990). Vom 24. Dezember, 1911. (Reichs-Gesetzblatt 1911, No. 70, S. 1107.)

**Order in regard to the management and procedure of Insurance Offices. (No. 3990. (Dated 24th December, 1911.)**

16. *Bekanntmachung betreffend die amtliche Veröffentlichung grundsätzlicher Entscheidungen des Reichsversicherungsamts.* (Nr. 4003.) Vom 30. Dezember 1911. (Reichs-gesetzblatt 1912, Nr. 1, S. 2.)

**Notification in regard to the official publication of fundamental decisions by the Imperial Insurance Office. No. 4003. (Dated 30th December, 1911.)**

#### RULES FOR THE PREVENTION OF ACCIDENTS, SANCTIONED BY THE IMPERIAL INSURANCE OFFICE.

1. **Chemical Industry Trade Association. General Rules for the prevention of accidents.** (Sanctioned on 7th November, 1911.)
2. **Chemical Industry Trade Association. Special Rules for the prevention of accidents from engine tools and machines.** (Sanctioned on 7th November, 1911.)
3. **Chemical Industry Trade Association. Special Rules for the prevention of accidents from lifts.** (Sanctioned on 7th November, 1911.)
4. **Chemical Industry Trade Association. Special Rules for the prevention of accidents in regard to the management of drums used by calico printers, and other pressure vessels and apparatus.** (Sanctioned on 7th November, 1911.)
5. **Chemical Industry Trade Association. Special Rules for the prevention of accidents in regard to protection from the effects of gases and vapours.** (Sanctioned on 7th November, 1911.)
6. **Chemical Industry Trade Association. Special Rules for the prevention of accidents in soap factories.** (Sanctioned on 7th November, 1911.)
7. **Chemical Industry Trade Association. Special Rules for the prevention of accidents in mineral water factories.** (Sanctioned on 7th November, 1911.)
8. **Chemical Industry Trade Association. Special Rules for the prevention of accidents in lacquer and varnish factories.** (Sanctioned on 7th November, 1911.)
9. **Chemical Industry Trade Association. Special Rules for the prevention of accidents in the industrial compression and liquefaction of gases.** (Sanctioned on 7th November, 1911.)
10. **Chemical Industry Trade Association. Special Rules for the prevention of accidents from transport vessels for liquefied or compressed gases.** (Sanctioned on 7th November, 1911.)
11. **Chemical Industry Trade Association. Special Rules for the prevention of accidents in the manufacture of black powder and explosives of a similar nature.** (Sanctioned on 7th November, 1911.)
12. **Chemical Industry Trade Association. Special Rules for the prevention of accidents in trinitroluol manufactories.** (Sanctioned on 7th November, 1911.)

13. Chemical Industry Trade Association. Special Rules for the prevention of accidents in the manufacture of ammonia nitrate explosives. (Sanctioned on 7th November, 1911.)
14. Chemical Industry Trade Association. Special Rules for the prevention of accidents in the manufacture of fuses of all kinds. (Sanctioned on 7th November, 1911.)
15. Chemical Industry Trade Association. Special Rules for the prevention of accidents in the manufacture of fireworks. (Sanctioned on 7th November, 1911.)
16. Chemical Industry Trade Association. Special Rules for the prevention of accidents in regard to loading of revolver shot, sporting, and military cartridges with black powder, and also the emptying of the same. (Sanctioned on 7th November, 1911.)
17. Chemical Industry Trade Association. Special Rules for the prevention of accidents in the manufacture of blasting caps and percussion caps. (Sanctioned on 7th November, 1911.)

## H. Austria

### (A) EMPIRE.

1. *Kundmachung des Finanzministeriums betreffend Arbeitszeit und Ladenschluss beim Tabakverschleiss.* Vom 10. Juni 1911. (Verordnungsblatt des Finanzministeriums 1911, Nr. 104. Soziale Rundschau 1911, 1291.)

**Notification of the Minister of Finance in regard to hours of work and closing hours of shops in the Tobacco Trade (Tabakverschleiss).** (Dated 10th June, 1911.)

[EXTRACT.]

#### 4. HOURS OF SALE.

##### (a) *Independent Tobacconists.*

##### §37. On Week Days :

Independent tobacconist shops shall be kept open for the sale of tobacconists' goods for at least 12 consecutive hours, *i.e.*, from 5 o'clock a.m. until 9 o'clock p.m. The authorities shall be previously informed of the opening and closing hours chosen and of all changes made in regard to the aforesaid hours.

On particular weekdays, when special conditions cause an expansion of trade, as, for instance, on market days, festivals, etc., the hours for sale may be extended and, if necessary, the time of closing the shop be deferred until 10 o'clock, but not later, with the consent of the authorities.

The limitations in regard to closing hours may be permanently or temporarily suspended in certain shops in which the sale is particularly active during the evening and where a strict application of the closing time would result in a considerable decrease in the turnover, as, for instance, in watering-places during the season, excursion centres, exhibitions and places of amusement, at railway stations, etc.

The fiscal authority may, on the other hand, reduce the hours of sale in regard to those shops where the sale, according to official confirmation, is limited to a few hours below the period indicated in paragraph 1.

Independent tobacconists shall further be allowed to grant their paid assistants the rest and dinner intervals provided for by the legal regulations for workers (*Hilfsarbeiter*) in commercial establishments, on condition that trading during the hours fixed in paragraph 1 is in no way impeded.

### §38. On Sundays and Holidays :

The hours of sale in independent tobacconists' shops shall be confined to the forenoon and shall not exceed four hours, on all Sundays, Christmas Day, New Year's Day, and during Corpus Christi Day, as well as on all other holidays preceded or followed by a Sunday or holiday.

Hours of opening and closing shall be fixed by the authorities under consideration of the local conditions.

Other holidays shall, as far as they are not subject to special regulations, in separate administrative districts, be treated in accordance with the regulations respecting trading on week days. The authorities may, however, at the request of particular tobacconists, reduce the hours of trading to four and fix the hour of closing at 11 o'clock a.m. at the earliest.

The authorities may extend the hours of trading to eight on Sundays and holidays, if special circumstances render such an extension necessary, as, for instance, at Christmas, on local Saints' days, etc.

Finally, the authorities may permanently or temporarily suspend the limiting of the hours of trading in places in which tobacconists depend mainly upon the Sunday and holiday trade, as, for instance, in border districts, excursion and pilgrimage centres, at railway stations, etc. The workers employed by the said tobacconists shall be entitled to have a twenty-four hours period of rest every other Sunday.

### §39. In regard to the Sale of Accessory Articles :

The Regulations relating to the hours of sale of tobacco and articles made therefrom shall apply similarly to the sale of stamps, of lottery tickets, smoking requisites and newspapers in independent tobacconists' shops.

The sale of other accessory articles, such as writing materials, etc., shall be allowed on Sundays and those holidays specified in §38, paragraph 1, in so far as their sale is allowed in other establishments which undertake the sale of the said goods in accordance with legal provisions regulating trade. Further, the hours of trading in regard to these accessory articles shall be exclusively subject to regulations in regard to the hours of work and the closing time of those industrial branches which undertake the sale of the aforesaid articles.

### (b) *Tobacconists not being Independent.*

#### §40. General Provisions :

The hours mentioned in §39, paragraph 2, shall also apply to the hours of trading on week days, Sundays, and holidays, and to the sale of tobacco and articles made therefrom and all other accessory articles.

If, however, the construction of the premises gives reasonable assurance that the legal provisions concerning the industrial business will be observed in regard to closing on Sundays and holidays, and in regard to the hours of work and the closing time, the regulations respecting the independent tobacconists shall also apply to the business of tobacconists not being independent.

2. *Verordnung des Gesamtministeriums, womit einige Bestimmungen der Verordnung vom 15. Oktober 1902 (R.G.Bl. Nr. 200) betreffend die bei staatlichen Behörden Aemtern und Anstalten verwendeten Aushilfsdiener abgeändert werden.* Vom 27. September 1911. (Reichsgesetzblatt 1911, 591.)

**Order of the whole Ministry amending certain provisions of the Order dated 15th October, 1902\*** (R.G.Bl. No. 200) in regard to temporary servants employed by Public Authorities, Offices, and Institutes. (Dated 27th September, 1911.)

3. *Gesetz womit zu dem Gesetz vom 21. Juni 1884 (R.G.Bl. Nr. 115) abändernde und ergänzende Bestimmungen über die Beschäftigung von Kindern, Frauen und Mädchen beim Bergbau erlassen werden.* Vom 26 Dezember 1911. (Reichsgesetzblatt 1911, 636; Soziale Rundschau 1911, 1979.)

**Act amending the Act dated 21st June, 1884 (R.G.Bl., No. 115), introducing, modifying and supplementing Regulations in regard to the employment of children, women and girls in mines.** (Dated 26th December, 1911.)

I. §1 of the Act dated 21st June, 1884 (R.G.Bl. No. 115) relating to the employment of young persons and women, and respecting hours of work and Sunday rest in the mining industry shall become void. In place of the regulations contained in the said §1, and for the purpose of supplementing the said Act, the following regulations are hereby enacted:—

(1) Children who have not completed their fourteenth year shall not be employed as workers in the mining industry.

(2) Women and girls of whatever age shall only be employed in the mining industry above ground, and mothers shall not be employed until six weeks after their confinement.

(3) Women and girls, irrespective of age, shall not be employed in the mining industry during the night, *i.e.*, between the hours of 8 o'clock p.m. and 5 o'clock a.m.

In undertakings where work is undertaken in two day shifts, women who have passed their eighteenth year may be employed until 10 o'clock p.m.

(4) As far as women are concerned, permission for exemptions in accordance with §3, paragraph 2, of the Act of 21st June, 1884 (R.G.Bl. No. 115) shall only apply to women and girls who have passed their eighteenth year, as well as on the condition that the night rest is of at least 11 hours' duration.

Overtime work within the meaning of §3, paragraph 3, of the said Act shall only be undertaken by women who have passed their eighteenth year, and then only on 40 days during the year, on the condition that the night rest is of at least 10 hours' duration. In this case the hour of beginning the night's rest may be fixed at 10 o'clock p.m.

II. The regulations contained in §1., Sub-section (2), of this Act, shall come into operation on the day of its proclamation, those of §1, Sub-section (1), of this Act one month after the day of its proclamation, while the rest of the regulations shall come into operation on the 1st of January, 1912.

In regard to surface work in the mining industry, which has to be suspended for at least four months during the year on account of climatic conditions, women who have passed their eighteenth year may be employed during night shifts for the rest of the calendar year up to 31st December, 1914.

\* Title G.B. I., p. 510, No. 3.

III. My Minister of Public Works, in agreement with My Minister of the Interior, is entrusted with the carrying out of this Act.

4. *Gesetz betreffend Steuerbegünstigungen für Neubauten, Zubauten, Aufbauten und Umbauten im allgemeinen und für Kleinwohnungsbauten insbesondere.* Vom 28. Dezember 1911. (Reichsgesetzblatt 1911, 644.)

**Act in regard to remissions of the taxes on new and additional buildings, as well as in regard to erecting and rebuilding in general, and to buildings for small tenants in particular.** (Dated 28th December, 1911.)

5. *Gesetz über Steuer- und Gebührenbegünstigungen für gemeinnützige Bauvereinigungen.* Vom 28. Dezember 1911. (Reichsgesetzblatt 1911, 660.)

**Act in regard to remission of taxes and fees concerning Building Societies of public utility.** (Dated 28th December, 1911.)

6. *Gesetz betreffend die staatliche Förderung der Wohnungsfürsorge.* Vom 28. Dezember 1911. (Reichsgesetzblatt 1911, 662.)

**Act in regard to the promotion of housing accommodation by the State.** (Dated 28th December, 1911.)

#### (B) CROWNLANDS.

(AUSTRIA below the Enns.)

*Gesetz betreffend die Erlassung einer Dienstordnung für das Hauspersonal in Wien.* Vom 28. Oktober 1911. (Landes-Gesetz- und Verordnungsblatt für das Erzherzogtum Oesterreich unter der Enns, 1911, Nr. 125. Soziale Rundschau 1911, 1805 and 1981.)

**Act concerning the decree of a domestic code in regard to domestic servants employed in Vienna.** (Dated 28th October, 1911.)

#### [EXTRACT.]

1. Domestic servants, within the meaning of this Act, shall be those domestic workers who render services of a menial character in the house or farm of the employer, in return for payment and board and lodging.

No person under the age of fourteen shall be employed in domestic service.

The conditions of service shall be based upon the contract of service which is concluded between the employer (master) on the one part, and the domestic worker (servant) on the other part.

The terms of the contract of service shall be left to the discretion of the two parties, except as regards the regulations contained in §§13, paragraph 1, 18 and 20, paragraphs 1 and 2, of the Act. Provisions which are not permissible or not compatible with good house management, or which contravene certain prohibitive orders, shall be void.

Whatever applies in this Act to the employer (master) shall also apply to his deputy.

This Act shall also apply to children's nurses.

2. Every domestic worker shall be provided with a service book. No domestic worker shall be employed without the said book or an interim permit (§19). The said book shall be handed to the employer and be returned by him at the termination of the engagement.

7. The domestic worker shall perform exactly, in accordance with the employer's orders, all the duties which he has engaged to do or which may arise out of the conditions of service as a matter of course, or may be reasonably held to arise therefrom.

Even where a worker has only been engaged to do certain work, he shall be bound, at the request of the employer, to undertake the work entrusted to another domestic worker, which cannot be postponed, should the latter be prevented from undertaking the said work, and should the first-mentioned domestic worker be capable of doing so, provided that the carrying out of such work is at all permissible, from a moral and legal point of view, and can be reasonably expected of him.

Disputes amongst domestic workers, as to who should undertake certain work, shall be referred to the employer for decision.

Domestic workers shall not be required to do work which is beyond their strength.

The daily working hours of the domestic worker shall not be prolonged to the detriment of health beyond a limit proportionate to his age and strength.

On Sundays and holidays all ordinary work shall be undertaken, and especially such work which cannot be postponed without danger. Nevertheless, attendance at church service on Sundays and holidays, in regard to which the employer shall determine the time and sequence for each of his domestic workers, shall not be prevented.

No domestic worker shall cause the work which has been allotted to him to be undertaken by others without the permission of the employer.

8. No domestic worker shall leave the house unless it be on behalf of his employer, or stay out beyond the time allowed.

During the period of notice, a domestic worker may apply elsewhere for employment, as long as his work is not thereby neglected to a serious extent.

A domestic worker shall not receive visits from certain persons if, by doing so, he is acting in contravention of the employer's orders, and he shall be strictly prohibited from giving shelter to any person during the night without the permission of the employer.

The employer shall be bound to allow the domestic worker a certain time for the purpose of recreation and for attending to his own affairs.

A male domestic worker, whose principal employment consists in waiting on the employer, shall be entitled to a half-holiday every week, subsequent to completing his twenty-first year; all other domestic workers shall be entitled to seven consecutive hours for recreation every other week, which time should be granted, as far as possible, on Sundays or holidays.

No domestic worker shall store his belongings outside the premises of the employer without the latter's permission.

In the event of articles being lost, or if there are reasons for doubting the integrity of a domestic worker, the employer shall be allowed to search the belongings of the domestic worker, in the presence of the latter and that of two witnesses, summoned by the employer and the domestic worker respectively.

Should the domestic worker oppose the said search, or should it be impossible for him to witness the said search, the employer shall appeal to the authorities.

9. The wages shall be paid at the end of every month, should no other arrangements have been made; board wages, however, shall be paid fortnightly in advance.

Should board be given in kind, it shall be wholesome and sufficient in quantity.

12. The employer shall further be entitled to discharge a domestic worker without notice or compensation for specially weighty reasons, as for instance :

(1) Should the domestic worker prove, for whatever reason, totally unsuitable for the work he was engaged to undertake.

(2) Should he seriously and repeatedly fail in his duty, especially if he continually disobeys the orders of the employer or members of the latter's household who carry his authority, or if he displays refractory behaviour.

(3) Should he assault the employer or any member of his family, or insult the same by slandering or libelling the said employer and his family.

(4) Should he neglect or ill-treat children or members of the household entrusted to his care or supervision.

(5) Should he commit theft, fraud, or embezzlement or induce fellow-servants so to act.

(6) Should he carelessly handle fire and light in spite of previous warnings, infringe the prohibition of smoking in dangerous places, or should animals entrusted to his care come to harm in consequence of negligence on his part, or should he ill-treat the same or in any way maliciously or purposely or through negligence damage the property of the employer.

(7) Should he, for his own advantage, borrow money or goods in the employer's name without his knowledge and consent.

(8) If, being entrusted with the keeping of accounts, he fails to do so with sufficient care, gets unjustifiably into arrears with the keeping of the said accounts, or is unable to give an explanation in regard to a deficit.

(9) Should he be detained by the authorities for more than three days.

(10) Should he take to drink, or practise other excesses and immorality, and, in particular, should he attempt to induce the children, relatives, or other members of the employer's household to commit such offences.

(11) Should he stay out all night without the consent of the employer or without being able to furnish a valid excuse, or should he shelter strangers over-night without having previously obtained the consent of the employer.

(12) Should he become insane or catch an infectious or loathsome disease, or be taken ill solely through his own fault, and thereby become unfit for work, or should he be incapable of working for a period of more than fourteen days through no fault of the employer, without prejudice to claims in accordance with §18 in case of illness.

In such cases the domestic worker shall only be entitled to payment in accordance with the contract of work up to the time of his discharge, without prejudice to any claims which the employer may have against him.

13. The attendance of the yearly military exercise in the reserve or militia shall not be considered a cause for determining the contract of service, but shall be regarded as an interruption of the same ; but during this time domestic workers shall only be entitled to half the cash wages agreed upon.

Death of the employer shall render the contract of work null and void, unless the legal heirs of the deceased continue the said contract.

The claims of the domestic worker shall, in such case, be settled in accordance with §11.

14. The domestic worker shall be entitled to leave the service without notice, for specially weighty reasons, as, for instance :

(1) If the nature of the work would make it impossible for him to continue the same without endangering his health.

(2) Should he be unable to remain in the service without affecting his honour.

(3) Should the employer or members of his household ill-treat him.

(4) Should the employer or members of his household or persons frequenting the latter place induce or attempt to induce the domestic worker to commit immoral or illegal practices.

(5) Should the employer be about to undertake a journey of some duration, or to take up his domestic domicile outside the jurisdiction of the Viennese police authorities, and, intending to take the domestic worker with him, should he fail to inform him to this effect by the last day on which notice could legally be given prior to the said journey or removal.

(6) Should the parents of the domestic worker require his attendance in the event of a sudden illness, or should any other important matter render imperative the immediate or more or less lengthy presence of the domestic worker, provided that in this case the employer may demand, during the period agreed upon in the contract of work, that the domestic worker shall return to service upon a settlement of the cause of his absence.

(7) Should the employer not pay the wages at the stipulated time, or should it be found that the board is insufficient or that the lodgings are detrimental to health and morals.

Should the employer be to blame for a premature cessation of the contract of work, the domestic worker shall be entitled to compensation in accordance with §11.

18. Every employer shall be bound to care for a domestic worker when ill for a period not exceeding four weeks, provided that the latter has not wilfully contracted the illness, or brought it about through gross negligence, and shall not only pay him his wages but also provide him such board, medical attention, and curatives as may be necessary. Should, however, the contract of work not have existed for four weeks, this obligation shall be limited to fourteen days. The nursing and treatment may also be given, by admitting him to a hospital, or the place of a third party, provided the consent of the domestic worker has been obtained.

Should the nature of the illness require it, the domestic worker may insist upon admission to a hospital.

20. The employer shall be bound to furnish the domestic worker with a certificate setting out the length of service and his qualifications upon the termination of the contract of service.

Additions or marginal remarks which are calculated to render it difficult for the domestic worker to obtain a new situation shall not be entered on the said certificate.

The stamp fees required for legalising the said certificate shall be paid by the employer, and shall not be deducted from the wages.

Should the domestic worker leave the service of his own free will, the employer shall be bound to endorse this on the said certificate.

The police authorities shall, in pursuance of the certificate, supplement the entries already made in the service book on the application of the domestic worker respecting the commencement of service, by entering the date of termination of the contract of service and, if desired by the domestic worker, the essential contents of the said certificate, and they shall certify the entries,



impress the official seal, and return the book, as well as the certificate, to the domestic worker.

25. This Act shall come into operation on the 1st January of the year following its proclamation.

The Domestic Code, dated 1st May, 1910, as well as other legal regulations relating thereto, as far as they are contrary to this new Domestic Code, shall become void from the date on which the latter comes into force.

### III. France

*Loi du 22 décembre, 1911, relative à la mise en vigueur de la Convention internationale de Berne sur le travail de nuit des femmes employées dans l'industrie.*

**Act of 22nd December, 1911, relating to the enforcement of the International Convention of Berne respecting the night-work of women employed on industrial work.**

1. §4 of the Act of 2nd November, 1892, relating to the labour of children and women is amended as follows :

"4. (1) Young male and female workers, up to the age of eighteen, and women may not be employed on any night-work in the businesses enumerated in §1.

(2) The night-rest of young female workers, up to the age of eighteen, and of women shall be for a minimum of eleven consecutive hours. This period, however, may be reduced to ten hours in the cases contemplated in Sub-section (4) of the present Section and in §7.

(3) All work between 9 o'clock in the evening and 5 o'clock in the morning shall be considered as night work. The work of children of the male sex shall, however, be authorised in underground work in mines, excavations, and quarries, from 4 o'clock in the morning to 10 o'clock at night, and it shall be divided into two shifts, each shift to work not more than nine hours, and subject to the condition that the work of each shift shall be divided by an interval of rest of at least one hour.

(4) To women of more than eighteen years of age there shall be granted, in certain industries to be specified by regulations issued by the public authorities, after simple notification, and on the conditions to be specified in the said regulations, the option of extending the work up to 10 o'clock at night, at certain seasons of the year, for a total period which shall not exceed sixty days. In no case may the working day be extended beyond the limit of twelve hours.

(5) There shall be granted to certain industries fixed by the said regulations of the public authorities, authorisation of temporary exemption, after a previous simple notification and subject to the conditions specified in the said regulations, from the provisions of Sub-sections (1) and (3) of the present Section.

(6) Moreover, in the event of a stoppage of work, owing to accidental interruption or to *force majeure*, the employer may, in any industry whatever, and within the limit of the number of days' work lost, be granted exemption from the provisions of Sub-sections (1) and (3) of the present Section, by giving previous notification to the inspector, on the conditions specified in the regulations above referred to. The employer, however, may not avail himself of this exemption for more than fifteen nights in one year without authorisation by the inspector."

2. The present Act shall come into force on 1st January, 1912.

## IV. Great Britain and Ireland

Act to provide for insurance against loss of health and for the prevention and cure of sickness and for insurance against unemployment, and for purposes incidental thereto. Dated 16th December, 1911.\* (1 and 2 George V., Ch. 55.)

## V. Italy

1. *R. decreto n. 104 che aggiunge un capoverso alle disposizioni del R. decreto riordinante il Consiglio della previdenza e delle assicurazioni sociali.* 24 febbraio, 1910. (Gazzetta Ufficiale 1910, n. 71, p. 1,461.)

**Royal Decree No. 104, adding a part to the provisions contained in the Royal Decree, reorganising the Provident and Social Insurance Council.** (Dated 24th February, 1910.)

2. *Decreto ministeriale per la inclusione d'una voce nell' elenco riguardante le industrie ammesse a fruire della eccezioni pel riposo festivo 11 aprile, 1910.* (Gazzetta Ufficiale 1910, n. 86, p. 1,752.)

**Ministerial Decree for the inclusion of an item in the list relating to the industries admitted to the benefit of the exceptions with regard to rest on holidays.** (Dated 11th April, 1910.)

In Table "B," approved by Royal Decree of 31st October, 1908,† there shall be included the item indicated in the accompanying list, relating to the industries admitted to the benefit of the exceptions fixed by §2 (c) of the Act referred to.

TABLE B.

Industries admitted to the benefit of exemption from the obligation of the weekly rest for a maximum period of six weeks in the year [§2 (c) of the Act, and §6 of the Regulations].

	NATURE OF THE INDUSTRY	NATURE OF THE WORK FOR WHICH THE EXCEPTION IS GRANTED.	PERIOD OF APPLICATION OF THE EXCEPTION.
1	Printing of daily journals	For the staff employed in receiving subscriptions and in the preparation and printing of the addresses, provided they are directly dependent upon the newspaper undertakings	For six weeks during the months of December and January.

\* This Act is available to British and American readers in many editions. An official version is published by Wyman & Sons, Fetter Lane, London, E.C., at 6d.

† Text E.B. V., p. 286.

3. *Legge del 17 luglio 1910, n. 520, relativa alla istituzione di una Cassa di maternità.* (Gazzetta Ufficiale 1910, n. 181; Bollettino dell'Ufficio del lavoro XIII., 1,311; XIV., 731.)

**Act of the 17th July, 1910 (No. 520), relating to the institution of a Maternity Fund.**

1. A Maternity Fund shall be instituted with the object of subsidising the women workers contemplated by the Act (Codified Text), dated 10th November, 1907,\* No. 818, relating to the employment of women and children in cases of childbirth and abortion.

The office of the Fund shall be in Rome.

It shall be managed by the National Provident Invalidity and Old-Age Fund for Workmen, as a self-governing section of the National Fund itself, and shall enjoy all the benefits (with the exception of the endowments and the receipts referred to in Part II. of the Act, Codified Text, dated 30th May, 1907,† No. 376), privileges, and exemptions from taxation granted to the latter institution.

The certificates, public deeds, receipts, and all other documents necessary in order that women workers may enjoy the benefits of the Fund shall be exempt from stamp tax and registration fees, and shall be granted free of charge.

2. The receipts of the Maternity Fund shall consist of the following :

- (1) A compulsory annual contribution to be paid at the rate of :  
1 Lire for every female worker between fifteen and twenty years of age ;  
2 Lire for every female worker between twenty and fifty years of age.

(2) The proceeds of monetary fines for infractions of the present Act and of the Regulations in pursuance thereof and of the amounts paid in by the employer or manufacturer according to the terms of §7 of the present Act.

(3) By legacies and donations made to the Fund by charitable bodies or private individuals, or any other proceeds which may hereafter be intended for the Fund.

The compulsory yearly contribution referred to in Sub-section (1) shall be payable half by the female worker and half by the employer or manufacturer.

That portion of the contribution payable by the female worker shall be deducted from her wages by the employer or manufacturer, who shall be prohibited from keeping back, under that head, any larger amount for any reason or pretext under penalty of a fine ranging from 50 to 500 Lire.

3. The Fund shall grant every female worker, in the event of childbirth or abortion, an allowance of 30 Lire, on conditions which shall be determined in the Regulations, an exception being made in cases of intentional abortion, as provided for in §381 of the Penal Code, whereto the allowance shall not apply.

The allowance shall be paid to the mother during the first week of accouchement, according to the rules which will be laid down in the Regulations ; these may, moreover, stipulate for the allowance to be wholly or partially advanced by the employer or manufacturer, subject to its being refunded by the Maternity Fund.

\* Text E.B. II., pp. LXIII., 578.

† Text E.B. IV., p. 329.

3a. The allowance referred to in the foregoing Section shall be increased to 40 Lire for accouchement, by means of an allowance of 10 Lire granted by the State.

4. The contribution referred to in §2 shall be paid by instalments at such times as may be stipulated in the Regulations, and the payment shall be effected through the employer or manufacturer in such shape and form as the said Regulations shall enact.

5. The credit attaching to the allowance may neither be transferred, pledged, nor attached.

Any agreement made with the object of avoiding payment of the allowances or diminishing the measure thereof laid down by the provision of §3 shall be null and void.

6. The steps necessary in order to obtain the allowance referred to in §§3 and 3a shall be taken within the term of one year, reckoning from the date of childbirth or abortion; except in the case of an intentional abortion being proceeded against, in which case the said provisions shall be understood to be suspended until a definite decision is given.

The female worker shall be entitled to the aforesaid allowance even in cases when the whole amount or part of the amount of the contributions payable according to the terms of §2 shall not have been paid. Any person who shall have been guilty of such omission shall be liable to a fine of from 50 to 500 Lire, and, in such a case, the employer or manufacturer shall, in addition, be compelled to pay into the Maternity Fund an amount equivalent to ten times that which was unpaid.

7. The Board of Directors of the National Provident Invalidity and Old Age Fund for Workmen shall provide for the management of the Maternity Fund by a committee appointed by the former institution.

The above-mentioned committee shall be composed, to the extent of one-third, of representatives of employers and manufacturers, and one-third of representatives of female workers to be selected by the Minister of Agriculture, Industry, and Commerce, the former from amongst manufacturers, and the latter from amongst workpeople belonging to Boards of Arbitration (Collegi di Proviviri), the members of which employ women.

8. The collection of amounts due to the Maternity Fund, connected with and for the purposes of the present Act, shall be effected by the management of the Fund, in the manner and subject to the privileges and all rules in force relating to the collection of direct taxes.

9. The present Act shall not apply to the State in respect of female workers employed in its establishments and for whom, according to special Acts and Regulations, an Allowance Fund is ensured in cases of accouchement, and which is not inferior to that established by the present Act.

10. By means of Regulations to be ratified by a Royal Decree within six months subsequent to the ratification of the present Act, and after the Higher Labour Council, the Provident and Mutual Insurance Council, and the State Council have been heard, rules shall be drawn up for the working and management of the Fund, and penalties fixed for the non-observance of the said rules.

11. The Minister of Agriculture Industry and Commerce shall lay before Parliament every year the report and balance sheet of the Fund, together with a report respecting the technical reform of the working thereof.

12. The National Provident, Invalidity, and Old-Age Fund for Workmen shall advance the requisite funds for the establishment of the Maternity Fund and for the management and working thereof during the first financial year. Amounts so advanced shall be refunded, plus interest at the rate of 4 per cent. in five yearly instalments out of the receipts during the first five working years of the Maternity Fund.

13. The present Act shall come into force three months after the publication of the Regulations referred to in §11.

4. *Legge 17 luglio 1910, n. 487, che modifica gli articoli 98, 99, e 108 del testo unico della legge sanitaria 1° agosto, 1907, n. 636 (articoli 27, 28, e 29 della legge 16 giugno, 1907, n. 337, sulla risicoltura).* (Bollettino dell' Ufficio del lavoro XV., 398.)

**Act No. 487, of 17th July, 1910, amending §§98, 99 and 108 of the Codified Text of the Health Act of 1st August, 1907 (No. 636) (§§27, 28 and 29 of the Act of 16th June, 1907,\* No. 337, relating to the cultivation of rice).**

1. §§27 and 28 of the Act of 16th June, 1907, No. 337 (§§98 and 99 of the Codified Text of the Health Acts No. 636 of 1st August, 1907, are hereby repealed, and the following substituted in their stead :

"§27. In every commune of lands on which rice is cultivated, every year and until the appointment of agricultural communal arbitrators (proviviri), a Board of Conciliation shall be appointed on the dates, terms, and in the manner indicated by the Order in pursuance of the present Act.

"Should it be shown to be advisable, the sphere of action of the Board may be extended to all communes comprised in a circuit, in the manner and on the terms indicated in the Order, by a Decree issued by the Ministry of Agriculture, when petitioned for by interested communes.

"The Board of Conciliation shall be entrusted with the investigation of all disputes of an individual or general character between workmen and employers on territory coming within their sphere, even when relating to the interpretation, application, and execution of contractual conditions or customs ruling.

"The said Board shall, moreover, be entrusted with the investigation of all disputes of an individual or general characters between local labour contractors and immigrant labour contractors, pertaining to the execution of the respective labour contracts.

"§28. The Board of Conciliation shall be composed of nine members, whereof four (two officiating and two deputies) shall be appointed by the labour contractors of the commune, or of the communes comprised within their district, and another four (two officiating and two deputies) shall be appointed by the workpeople on local rice-fields, whilst the ninth, whose duty it shall be to call meetings of the Board and preside thereat, shall be elected by arrangement between the delegates of the interested parties, and; should they fail to agree, by the Judge of the circuit, whose duty it shall also be to appoint members of the Board in the event of an election falling through owing to non-attendance of electors at two duly convoked consecutive meetings.

"In those communes wherein, for the operation of weeding and of gathering and threshing rice, an immigration of workmen takes place, the latter, on commencing any of these operations, shall elect four delegates (two officiating and two deputies) belonging to their own class, who shall form part of the Board throughout the working period in which they were elected.

\* Text E.B. 11., p. 578, No. 1.

"In the event of an election falling through owing to non-attendance of electors at two duly convoked consecutive meetings, the appointment of delegates shall be entrusted to the Judge of the circuit.

"The appointment of members to the Board to replace those elected by the interested parties who decline to accept or who resign office, or who are not promptly replaced by the party which elected them, shall devolve upon the Judge of the circuit.

"The Board shall officiate with five members—*i.e.*, by the attendance of the Chairman, two delegates of the labour contractors, and two delegates of the local workpeople or of the immigrant workpeople, according to whether the controversy (in the judgment of the Chairman) affects those belonging to the one or other class of workpeople. When the dispute (in the judgment of the Chairman) affects both classes of workpeople, a delegate of the local workpeople and a delegate of the immigrant workpeople shall take part in the meeting of the Board.

"When the controversy does not relate to the employers, but is only between the local and the immigrant labourers, two delegates of the local labourers and two delegates of the immigrant labourers shall take part in the meeting of the Board.

"The deputy-delegates shall take the place of the official delegates when the latter are absent for any reason."

2. For the first paragraph of §108 of the Codified Text of the Health Acts of 1st August, 1907, No. 636, the following shall be substituted :

"Breaches of §§77, 78, 80, and 81, and breaches of the Orders laid down in §72, shall be punishable by a fine ranging from 50 to 1,500 Lire."

5. *Regolamento speciale per l'elezione, la nomina e la funzione delle Commissioni di conciliazione per le controversie relative al contratto di lavoro nelle risaie, approvato con R. decreto 5 gennaio, 1911, n. 41.* (Bollettino dell'Ufficio del lavoro, XV., 399.)

**Special Order, sanctioned by Royal Decree No. 41\*, dated 5th January, 1911, relating to the election, nomination, and sphere of action of the Boards of Conciliation in cases of disputes respecting contracts of work in rice fields.**

[EXTRACT.]

**PART I.—Concerning the Drawing-up of Electoral Lists and the Qualifications for Election.**

1. In every commune where the cultivation of rice is carried on, two lists shall be drawn up for the purpose of electing representatives to the Conciliation Board specified in §98 of the Codified Text of the Health Act of 1st August, 1907 sanctioned by Royal Decree No. 636 and amended by Act No. 487 dated 17th July 1910†; on the one list shall be set down the names of all employers who cultivate rice-fields situated within the territory of the commune, and on the other shall be set down the names of all workmen residing in the commune or outside it, who are employed in the cultivation of rice within the territory of the commune.

\* In accordance with §2 of the above-mentioned Royal Decree, the provisions of §§9, 10, 11 and 13 *et seq.*, with regard to the drawing up of the lists and to employers and workmen's elections, came into force for the year 1911 on 1st February.

† Text E.B. VII., p. 32.

2. The following persons shall be included in the list of employers—namely :

(1) Persons being freeholders, tenants, usufructuries, or otherwise owners of land lying within the territory of the commune on which rice is cultivated, who themselves directly cultivate the same.

(2) Persons who, as tenants or as cultivators, have for the purpose of cultivating rice rented land within the territory of the commune, by means of contracts which are already in process of execution on 1st January of the year on which the lists are to be drawn up.

If the owner does not ordinarily reside in the commune he may transfer his electoral rights to the agent or manager appointed by him to carry on his agricultural business.

The inclusion of any person in the list of owners, usufructuries, tenants, or cultivators shall depend on his employing agricultural labourers and workmen paid in currency or in kind by the year, month, or day for the purpose of cultivating the land in any manner or in any form whatsoever.

Freeholders, usufructuries, tenants, cultivators, or any other occupiers of land on which rice is cultivated who, for the purpose of cultivating rice, only employ their own labour, or that of members of their family, shall not be included in the list.

Similarly, middlemen who undertake to find and engage workmen for weeding, gathering, and other agricultural occupations in the cultivation of rice shall not be included in the list.

3. Minors, persons not in enjoyment of their civil rights, and persons placed under control, who are freeholders, tenants, usufructuries, or, by any other title, owners of land within the meaning of §2, Sub-section (1), shall be represented on the list by their guardians or trustees ; limited liability companies by a manager or representative ; joint stock companies by a partner of the firm appointed by it ; and unlimited liability companies by a member having unlimited liability ; in addition, all companies shall be represented by the managers ; public benevolent institutions, which may be in the conditions provided for in the aforesaid Sub-section (1) of §2, by one of the administrators or the manager of the agricultural business.

4. In the list of workmen shall be entered, in two distinct classes—

(1) Workmen resident in the commune at least three months prior to the 31st December of the preceding year ;

(2) Workmen residing in other communes or even in other provinces who, by individual or collective written contracts drawn up in conformity with the terms of §§88 and 89 of the Codified Text of the Health Acts, have agreed to do work for one entire rice season (weeding, gathering, and threshing), to be completed within the commune during the year, and during which they reside continuously in the said commune.

5. No person shall, at the same time, be included in the list of workmen and in the list of employers.

6. In order to be registered in the lists referred to in the preceding Sections, the persons specified therein must—

(1) Have completed the twenty-first year of their age or must complete the same not later than the 15th February of the current year, if they are employers, and must have completed the fourteenth year of their age on 31st December preceding, if they are workmen ;

(2) Be citizens of the State or have been placed on an equal footing with these in accordance with §12, last paragraph, of the Commune and Province Act, Codified Text, approved by Royal Decree of 21st May, 1908, No. 269 ;

(3) Not be included in any of the classes specified under Sub-sections (c), (d), (e), (f), (g), (h), (i) of §22 of the Commune and Province Act mentioned above. An exception shall be made with respect to persons who are in receipt of temporary relief from public benevolent institutions and from the charity boards (Congregazioni di Carità) ; such persons shall retain the right to be registered in the list.

Women may also be included, both in the lists of employers and of workers.

Foremen of gangs may not be registered in the lists of workers.

7. All persons registered in the two lists of the commune shall be eligible for the office of delegate, provided they can read and write, and have completed their twenty-fifth year.

The President of the Board of Conciliation may be elected even from among persons who are not registered in either of the two lists, provided the other conditions laid down above, as well as those specified under Sub-sections (1), (2), and (3) of the preceding Section are complied with.

8. On the 1st January of every year the Municipal Council, by a notification published at the notice board of the Court of the commune, shall invite the employers and workmen of local rice plantations to register their names in the respective lists within a period of fifteen days.

9. Within the month of January, the Municipal Council shall provide for the drawing-up of the lists of local employers and labourers, entering those who, having presented an application, are found to possess the necessary qualifications. It shall, in addition, inscribe officially the local employers and workmen who have not presented an application and who are found to possess the necessary qualifications.

It shall then provide for the cancellation of the registered persons who are deceased or who have lost the necessary qualifications for election.

Whenever the Council shall not have provided, within the prescribed period, for the drawing-up of the electoral lists, the Prefect shall order the execution thereof officially by means of a special commissioner delegated for the purpose, and at the expense of the commune.

10. The lists of local employers and of workmen, drawn up by the Municipal Council, shall be published on the 1st February at the notice board of the commune for seven days. Claims with respect to omissions or improper registration or cancellation in the said lists must be presented within the same period, such claims being deposited at the secretary's office of the commune, which must, on request, give a receipt for same.

Claims, by which an inscription or a cancellation are impugned, must be notified by the Municipal Council within two days next following the deposit, to the interested party, who shall have three days wherein to give his reply.

By the 15th February the Municipal Council must decide upon the claims which have been presented, and definitely settle the lists. An appeal to the Civil Court within a period of five days shall be permissible against the decisions of the Council with respect to claims presented, and in general with regard to electoral capacity ; but the appeal shall not suspend the validity of the electoral lists decided upon.

11. The lists of local employers and labourers, with such alterations as may be introduced in consequence of claims presented, shall be once more published between the 17th and 22nd February at the notice board of the



commune, and they may no longer be modified until the revision of the following year, unless by decision of the Tribunal, but the appeal shall not have a suspensive effect.

12. In every commune in which, for the periods of weeding and harvesting of the rice, there is an immigration from other communes of labourers, who remain there for the whole period of labour, the Municipal Council, at the beginning of the weeding and at the beginning of the harvesting in the territory of the commune, shall attend to the drawing-up of the register of immigrant labourers.

For this purpose, by a notice to be published at the notice board of the commune between the 1st and 31st May, and between the 1st August and 15th September, the Municipal Council shall invite the employers of the commune to deposit in the office of the secretary of the commune, within twenty-four hours after the arrival of the respective gangs of labourers for the weeding or for the harvesting and threshing of the rice, the lists giving the names of the labourers composing the gangs, countersigned by their gangers.

The lists shall be immediately published at the notice board of the Communal Court for twenty-four hours; and within such a period any claims which may be made with respect thereto must be deposited in the municipal secretariat.

With such lists, bearing in mind the claims presented, the Municipal Council shall immediately proceed to draw up the register of the labourers who have immigrated for the weeding and the register of the labourers who have immigrated for the harvesting and threshing of the rice. These registers shall be published at the notice board of the Communal Court within five days after the commencement of weeding and the commencement of the harvesting of rice in the territory of the commune.

An appeal may be lodged with the Civil Tribunal, within three days, against the decisions of the Municipal Council, but the appeal shall not have a suspensory effect.

Whenever the Municipal Council does not see to the compilation of the lists within the prescribed period, the Prefect shall order its execution officially by means of a Commissioner delegated for the purpose, at the expense of the commune.

## PART II.—*Concerning the Election of Members and of the President of the Board.*

### PART III.—*Concerning Electoral Recourse.*

### PART IV.—*Concerning the Renewal of the Board.*

### PART V.—*Concerning the Working of the Board.*

21. The Board shall act when five members are present. The President of the Board shall call upon the delegates of the local labourers or else the delegates of the immigrant labourers to form part of the Board which is to act, according to whether the controversy relates to persons belonging to the one or to the other class of labourers. If it refers to persons belonging to both classes, then he shall call upon one delegate of the local labourers and one delegate of the immigrant labourers to form part of the said Board.

When the controversy is one which has arisen between local labourers and immigrant labourers without concerning the employers, the President shall call upon the delegates of the local labourers and the delegates of the immigrant labourers to form part of the said acting Board.

Whenever the matter relates to questions concerning local labourers and immigrant labourers, or which are of mixed competence, and the Board should not have been formed in conformity with the preceding provisions, the parties thereto may raise an exception with respect to the mode of constitution of the said Board before the Board itself, which shall be competent to decide thereupon. Such exception may also be raised and settled officially.

The officiating delegates shall take part in the Board when in function. The deputy-delegates shall be present at the beginning of every meeting of the Board, so as to substitute, in order of seniority, the officiating delegates who may be absent for any reason.

No meeting or deliberation shall be valid without the intervention of the President.

22. The reasons for rejection contemplated in §35 of the Act of 15th June, 1893, No. 295, relating to Communal Arbitrators (*probiviri*), shall be applicable to the persons composing the Board of Conciliation, when it is a question of a controversy relating to individual interests.

In cases where the rejected person does not declare that he will withdraw, it is within the competence of the Board to deliberate with respect to the reason of the rejection brought forward, and its decision shall be final. The rejected person shall not be permitted to participate in the deliberation in question.

23. The work of the Board of Conciliation, in accordance with §99 of the Codified Text of the Sanitary Acts, shall be brought about at the request of one or more delegates, or of one party to a dispute or of both.

In the former case, the President shall call the Board together as quickly as possible, as soon as he has received a request to this effect from one or more of the delegates.

In the other cases, the Board shall also be called together as soon as possible, at the request of one of the parties to the dispute or of both. Such a request may be presented in writing or made by verbal declaration to the President, or even to the Mayor or at the Municipal Office, and these latter shall be bound to communicate same immediately to the President.

24. The sittings of the Board shall not be public unless the Board itself should decide otherwise.

The Board, having received an application for intervention from one of the two parties to a dispute, shall, within the shortest possible period, invite the other party to present himself at the time, place, and hour fixed for the investigation of the controversy, in the presence of the party applying for same.

This invitation shall be notified through the intermediary of the communal messenger or of the usher of the Conciliation Office, who must obtain a receipt for same or, in default thereof, give an attestation to the effect that it has been carried out.

If there should be many persons to invite, then the notification, by resolution of the Board, may even be issued by a public proclamation to be posted, not only at the notice board of the Court, but also in several places in the residential part of the chief place in the commune and in the divisions thereof.

The policing of the meeting shall be entrusted to the President, and the provisions of §§354 and 355 of the Code of Civil Procedure shall be applied thereto.

25. The Board shall be empowered, with a view to carrying out its own mandate, to invite witnesses, whether proposed by the parties to the dispute or whether called officially, to interrogate persons acquainted with the subject-matter of the dispute and, whenever necessary, to proceed to investigations on the spot, either jointly or through the President.

The expenses, for witnesses summoned and those for expert reports and for travelling to the spot, shall be borne by the party, who may have made application for the said evidence to be taken, or by both parties when it is a question of evidence called officially.

26. For the functions of secretary and for drawing up the minutes, the Conciliation Board may make use of the secretary or of some other employee of the secretary's office of the commune or of the office staff of the Conciliation Board. The secretary selected shall, before entering upon his office, take the oath prescribed for functionaries of the judicial order before the Mayor.

#### PART VI.—*Concerning the Notification of Resolutions of the Board.*

27. The resolution of the Board shall be notified to the parties thereto in a certified copy, by the President through the intermediary of the communal messenger or of the usher of the Conciliation Office, and these shall hand same to the parties themselves, and cause a receipt to be given them or, in default thereof, draw up an attestation as to their having carried out their charge.

If the interested persons constituting one of the parties to the dispute are in large numbers, the notification, upon a resolution of the Board to this effect, shall be validly carried out in the manner above indicated to the representatives only of the parties themselves, whose names are given to the Board by the latter; but the resolution shall, at the same time, be affixed to the notice board of the Communal Court and a copy thereof shall be given to the party applying for same.

28. A copy of the resolutions in disputes of a general character, or of arbitral resolutions only in disputes of an individual character, shall be transmitted, by the Secretary of the Board, to the Labour Offices within eight days after the date of the said resolutions.

#### PART VII.—*Concerning Recourse to the Civil Tribunal.*

#### PART VIII.—*Concerning the Defraying of the Expenses for the Board.*

30. The office of the persons composing the Conciliation Board shall be honorary.

The expenses for drawing up the list, for the election of the delegates composing the Board, and for the working of the Board shall be borne by the commune.

#### PART IX.—*Concerning the Extension of the Circuit of the Board.*

## VI. Netherlands

1. *Besluit van den 6den Februari 1911, tot wijziging van het Koninklijk besluit van den 10den Augustus 1909* (Staatsblad no. 290) houdende den algemeenen maatregel van bestuur, bedoeld bij artikel 4 der Arbeidswet. (Staatsblad no. 47.)

**Decree of the 6th February, 1911, amending the Royal Decree of 10th August, 1909\*** (Staatsblad No. 290) containing the general administrative regulation referred to in §4 of the Labour Act. (Staatsblad No. 47.)

2. *Wet van den 11den Februari 1911 houdende aanvulling van artikel 21 der "Weduwenwet voor de ambtenaren 1890," en van artikel 92 der Ongevallenwet 1901.* (Staatsblad no. 62.)

**Act of 11th February, 1911, containing supplements to §21 of the "Official Widows Act of 1890," and to §92 of the "Accidents Act of 1901†."** (Staatsblad no. 62.)

3. *Besluit van den 7den Maart 1911, houdende bepalingen betreffende een doorlopend van Rijkswegen uit te oefenen, vrijwillig aanvaard toezicht op het logis voor de schepelingen en op de bestaande ziekenverblijven aan boord van Nederland scheschepen.* (Staatsblad no. 86.)

**Decree of 7th March, 1911, containing Regulations in regard to voluntarily accepted continuous supervision, on the part of the Government, of the accommodation for sea-faring men, and of existing hospital accommodation on board Dutch ships.** (Staatsblad no. 86.)

4. *Besluit van den 7den Maart, 1911 tot uitvoering van artikel 67, eerste lid, onder a, der Schepenwet.* (Staatsblad no. 87.)

**Decree of 7th March, 1911, for the enforcement of §67, paragraph 1 (a), of the Ships Act‡.** (Staatsblad no. 87.)

5. *Besluit van den 17den Juli 1911, tot nadere wijziging van het Koninklijk besluit van 12 Juli 1909* (Staatsblad no. 266), gewijzigd bij Koninklijk besluit van 27 Juli 1910 (Staatsblad no. 242). (Staatsblad no. 205.)

**Decree of 7th July, 1911, for further amending the Royal Decree of 12th July, 1909\*\*** (Staatsblad no. 266), as amended by the Royal Decree of 27th July, 1910†† (Staatsblad no. 242). (Staatsblad no. 205.)

6. *Besluit van den 18den Juli 1911, tot verdeling van het Rijk, in districten, ten behoeve van den dienst der Arbeidsinspectie.* (Staatsblad no. 257.)

**Decree of 18th July, 1911, dividing the Kingdom into districts in regard to the operations of the Labour Inspection.** (Staatsblad no. 257.)

7. *Besluit van den 12den Augustus 1911, tot nadere wijziging van het Koninklijk besluit van den 18den Juni 1909* (Staatsblad no. 189) tot herziening van den algemeenen maatregel van bestuur, bedoeld in artikel 31 der Ongevalwet 1901, zooals dit besluit is gewijzigd bij Koninklijk besluit van den 7den November 1910 (Staatsblad no. 318). (Staatsblad not 275.)

\* Text E.B. V., p. 392.

† Extract G.B. I., p. 296.

‡ Title E.B. VI., p. 85.

\*\* Text E.B. V., p. 135.

†† Text E.B. VI., p. 92.

**Decree of 12th August, 1911, for the further amendment of the Royal Decree of 18th June, 1909\*** (Staatsblad no. 189), revising the general administrative regulation referred to in §31 of the Accident Act of 1901, as amended by the Royal Decree of 7th November, 1910.† (Staatsblad no. 318). (Staatsblad no. 275.)

8. *Besluit van den 12den Augustus 1911, tot nadere wijziging van het Koninklijk besluit van 5 December 1902* (Staatsblad no. 206) *laatstelijk gewijzigd bij Koninklijk besluit van 7 November 1910* (Staatsblad no. 319), *tot vaststelling van een algemeenen maatregel van bestuur, als bedoeld in de artikelen 52 tweede en derde lid, en 59, sub. (1), (3) en (4), der Ongevallenwet 1901.* (Staatsblad no. 276.)

**Decree of 12th August, 1911, for the further amendment of the Royal Decree of 5th December, 1902‡** (Staatsblad no. 206), as amended by the Royal Decree of 7th November, 1910\*\* (Staatsblad no. 319), to publish a general administrative regulation as referred to in §52, second and third paragraphs, and §59, Sub-sections (1), (3), and (4) of the Accidents Act of 1901. (Staatsblad no. 276.)

9. *Besluit van den 2den October 1911 tot aanvulling en wijziging van het Koninklijk besluit van 10 Augustus 1909* (Staatsblad no. 289) *tot vaststelling van een algemeenen maatregel van bestuur, als bedoeld in het vierde lid van artikel 12 der Arbeidswet.* (Staatsblad no. 309.)

**Decree of 2nd October, 1911, containing supplements to and amendments of the Royal Decree of 10th August, 1909††** (Staatsblad no. 289) to publish a general administrative regulation, as referred to in §12, fourth paragraph, of the Labour Act. (Staatsblad no. 309.)

#### *Sole Section.*

Our Decree of 10th August, 1909 (Staatsblad no. 289), shall be supplemented and amended as follows, viz.: I., §1, Sub-section (c), shall read as follows, viz.:—

“(c) medical advisor or medical officer of the Department of Labour Inspection.”

II. §2 shall read as follows, viz.:—

“The jurisdiction of officials referred to in §1, Sub-sections (a), (c) and (d), shall include the entire Kingdom.”

Our Minister for Agriculture, Industry and Commerce shall allot to all other officials of the Labour Inspection Department one or more districts, referred to in §12, second paragraph, of the Labour Act, in which they shall carry out their duties, or he may transfer them to the Department of the Director-General of Labour.

Our Minister shall decide upon the place of residence of each of the officials of the Labour Inspection Department.

Our Minister shall publish, in the “Government Gazette” at the earliest opportunity, any arrangements made in pursuance of this Section.”

III. §9, (a) and (b), shall read as follows, viz.:—

“(a) One or more of the officials referred to in §1 (b), of whom, however, one only shall hold a rank higher than that of inspector of the 2nd Class.

\* Title E.B. V., p. 130.

† Title E.B. VI., p. 93, No. 19.

‡ Title G.B. II., p. 543, No. 14.

\*\* Title E.B. VI., p. 94, No. 20.

†† Text E.B. V., p. 137, No. 26.

(b) The medical advisor and the medical officer of the Department of Labour Inspection, dealing with matters concerning the health of persons employed on the work."

IV. The heading of §4 shall read as follows, viz. :—

"Concerning the Medical Advisor, the Medical officer, and the Electrical Engineer of the Labour Inspection Department."

V. §16 shall be supplemented with a second paragraph, reading as follows, viz. :—

"The medical advisor shall be assisted in the execution of his work by the medical officer of the Labour Inspection Department."

Our Minister of Agriculture, Industry and Commerce shall be responsible for the execution of this Decree, which shall be published in the Government Gazette (Staatsblad), and a copy of which shall be forwarded to the State Council (Raad van State), and to the "Algemeene Rekenkamer."

10. *Wet van den 7den October 1911, tot wijziging der Arbeidswet.* (Staatsblad no. 314.)

**Act of 7th October, 1911,\* to amend the Labour Act.** (Staatsblad no. 314.)

11. *Wet van den 7den October 1911, houdende bepalingen in verband met de bijzondere gewaren voor veiligheid en gezondheid, verbonden aan steenhouwersarbeid.* (Staatsblad no. 315.)

**Act of 7th October, 1911, containing regulations relating to the particular dangers in regard to safety and health connected with the work of stone-masons.** (No. 315.)

1. In this Act shall be understood by :—

(a) "Stone-masons' work," such work as is performed by a stone-mason on natural or artificial stone, with or without mechanically driven tools, with the exception of wet grinding, wet sawing, and polishing.

(b) "Our Minister" : Our Minister responsible for the carrying out of this Act.

(c) "Employer" : The principal or the manager of the establishment in which the work is performed by the stone-masons.

2. The employer shall see to it that, in his establishment, no stone-mason's work shall be performed by workmen under the age of 21 years, unless such workmen are in the possession of a valid stone-mason's certificate.

3. (1) A stone-mason's certificate shall be given to a workman if it does not appear from examination that the performing of stone-mason's work incurs particular danger to his health.

(2) The examination shall take place at the request of the workmen, by a medical practitioner appointed by Our Minister, and free of charge. The request shall be made to the Chief Inspector of Labour for the District.

(3) The medical practitioner shall communicate the result of the examination in writing to the workman.

(4) If, from the examination, it does not appear that the performing of stone-mason's labour incurs particular danger to the health of the workman, the medical practitioner shall inform the Mayor of the town in which the workman resides to that effect in writing, at the earliest possible time, stating the date on which the examination took place. On receipt of this information, the Mayor shall give to the workman, if the latter has reached

\* Instead of the amending Act, we publish the text as consolidated by the Decree of 20th October, 1911 (see p. 47, No. 12).

the age of fourteen years, a stone-mason's certificate, and shall enter this in a register ; at the same time he shall furnish him with a copy of the instructions as referred to in §10.

(5) If, in the opinion of the medical practitioner, the performance of stone-mason's labour does incur particular danger to the health of the workman, the latter may, within eight days after the date of communication of the result of the examination, request Our Minister for a re-examination. The latter shall appoint for that purpose one or more medical practitioners. Sub-sections (3) and (4) shall apply in this case.

(6) A workman may not be examined again within a year after the examination or re-examination, on the results of which a stone-mason's certificate was refused him.

(7) The stone-mason's certificate shall state the name, the Christian names, the date and place of birth of the workman, the date of the medical examination on the result of which the certificate was issued, as also the name and residence of the medical practitioner or practitioners who performed this examination.

(8) A duplicate copy of a certificate may be obtained by the workman without a new medical examination being necessary, on payment of one penny (five cents), which shall benefit the treasury of the town.

(9) A stone-mason's certificate, issued to a person who, on the date of the medical examination on the strength of which the certificate was given, had not yet reached the age of seventeen years and six months, shall be valid only for a period of one year after that date.

If in compliance with the stipulations contained in Sub-section (8) a duplicate copy of such certificate has been issued, this duplicate copy shall only be valid up to the date on which the original certificate would have become void.

(10) The form of the certificate, of the communication of the result of the medical examination to the workman, of the medical practitioner's declaration, and of the registers shall be drawn up by Our Minister.

4. (1) The employer shall keep in his possession the certificate of any workman who performs stone-mason's work in his establishment, and hand the same immediately over for inspection to the officers referred to in §23.

(2) He shall see that neither marks nor notes are made on the certificate as long as it is in his care, and he shall return it immediately to the workman as soon as the latter shall cease to perform stone-mason's work in his establishment, against proof of receipt.

5. (1) Any workman continuously employed on stone-mason's work shall be entitled to a medical examination once a year, in order to satisfy himself whether the performing of stone-mason's work incurs any particular danger to his health.

(2) The stipulations contained in Sub-sections (2) and (3) of §3 shall apply to such examinations.

6. (1) The employer, while observing the further written instructions which are given to him by the Chief Inspector of Labour for the District, shall see :

I. That places in his establishment where stone-mason's work is carried out, comply with the instructions which have been laid down by general administrative regulations (*algemeenen maatregel van bestuur*) in reference to—

- (a) the height ;
- (b) the cubical free air space ;

(c) the floor area in relation to the number of persons working on the spot ;

(d) the wainscotting of the roof and the composition of floors, walls and ceiling ;

(e) the ventilation ;

(f) the lighting.

II. That the instructions which have been laid down by general administrative regulations have been complied with in reference to—

(a) the installation of dining-rooms and lavatories to be placed at the disposal of persons performing stone-mason's work ;

(b) the provision of an open place for the performance of stone-mason's work in establishments consisting of enclosed work-shops ;

(c) the draining of work-shops where stone-mason's work is performed.

III. That the instructions which have been laid down by general administrative regulations shall be observed—

(a) in order to make every effort that stone-mason's work shall be done in the open air, as far as circumstances will allow ;

(b) for the protection against the inclemencies of the weather of persons who perform stone-mason's work in the open air ;

(c) for the promotion of cleanliness ;

(d) for preventing dust being formed, or spread, or for the removal of dust, or for prevention of nuisances or injury which might result to people who live or reside in the immediate vicinity of places where stone-mason's work is being performed ;

(e) for the prevention of accidents which may be caused by machinery, parts of machinery, tools, falling objects, or by the flying of chips and small pieces of stone ;

(f) for the free supply of pure drinking water ;

(g) for the introduction of such methods of labour which are as little injurious as possible to the health of the workmen.

(2) The instructions referred to in Sub-section (1) may differ according to the nature of the stone under treatment.

(3) If stone-mason's work is being performed exclusively on stone which has already been put into position in buildings, the regulations referred to in the first Sub-section under I., II. (b) and (c), and III. (a), shall not apply, and exemptions may be given, by or on the authority of Our Minister, to the other instructions and regulations in Sub-section (1), either conditionally or unconditionally.

(4) Furthermore, Our Minister may grant exemptions, conditionally or unconditionally, to instructions under the general administrative regulations, as referred to in Sub-section (1) for stone-mason's work performed in a sculptor's workroom.

(5) Further instructions shall be given by the Chief Inspector of Labour for the District, on the basis of the general administrative regulations promulgated in consequence of this Section, and concerning the execution of the regulations contained therein.

7. A further instruction, as referred to in §6, shall define the term within which these regulations must be complied with. It shall be dated by the Chief Inspector of Labour for the District.

8. (1) Should an employer have any objection to any instructions given to him by the Chief Inspector of Labour for the District, he shall be entitled to appeal to Our Minister against such instructions within eight days,



reckoned from the date on which such instructions were issued. The decision of Our Minister shall state the reasons therefor.

(2) If, by virtue of the appeal, the instruction is wholly or partly reversed, such reversed instruction shall be substituted for the original instruction against which an appeal had been lodged.

(3) The decision of Our Minister shall be communicated in writing to the employer.

(4) In regard to an employer, an instruction shall not be considered as binding when an appeal has been lodged against it, and so long as no decision has been given in such appeal.

9. (1) The employer shall take care that in his establishment—

i. A workman shall not be engaged on stone-mason's labour for more than three hours without an interval;

ii. In regard to a workman who has reached the age of seventeen years, such labour shall not be performed longer than :

(a) 10 hours per diem of 24 hours within two years of the day referred to in Sub-section (1) of §33 ;

(b) nine hours per diem of 24 hours after the expiration of the period referred to under (a).

iii. In regard to a workman who has not yet reached the age of seventeen years, such labour shall not be performed longer than :

(a) eight and a half hours per diem of 24 hours within two years of the day referred to in Sub-section (1) of §33 ;

(b) seven and a half hours per diem of 24 hours after the expiration of the period referred to under (a).

iv. A workman shall not perform such labour :

(a) Earlier than 15 minutes before sun-rise and later than 15 minutes after sunset ;

(b) Before 6 a.m. and after 7 p.m.

(2) Stone-mason's work which has not been interrupted by an interval of at least half an hour for rest shall be considered as continuously performed.

(3) In exceptional circumstances, or on the authority of Our Minister, exemptions from the instructions laid down in the first Sub-section under iv. (a), may be granted, under certain conditions, to an employer for a period not exceeding 30 days in one calendar year.

(4) Furthermore, Our Minister may exempt an employer from the instructions laid down under the 1st and 2nd Sub-sections in regard to stone-mason's work carried out in a sculptor's studio.

The employer shall take care, in that case, that the instructions which have been issued by general administrative regulations are being carried out, both in regard to the hour of commencement and termination and duration of the day's labour, as also in regard to intervals of rest for the workmen in sculptors' studios.

10. (1) The employer shall see that in the works or on the premises where stone-mason's work is being performed there shall be displayed, in such a manner that the contents may be easily read :

(a) a list of the further instructions applying to the establishment given and drawn up by the Chief Inspector of Labour for the District, on the basis of §6, and signed by him and the employer ;

(b) A labour list, dated and signed by him, complying with the instructions as given in or on the strength of the next Section ;

(c) The document by which exemption has been given, as referred to in Sub-sections (3) and (4) of §9 for so long as such exemption is in force ;

(d) A copy of a guide, to be drawn up by Our Minister, in regard to the nature of the dangers to which persons who perform stone-masons' work are particularly exposed, as also in regard to the preventative measures to be observed in order to reduce such dangers.

(2) If the Chief Inspector of Labour for the District points out those places where a copy of an extract from the list referred to in Sub-section (1), (a) or (b), or the document referred to in Sub-section (1), (c), or a copy of the guide referred to in Sub-section (1), (d), should be displayed, the employer shall see that such copy, extract or document shall be displayed, and remain displayed, in the places thus pointed out.

11. (1) The labour list referred to in the last Section shall state :

(a) the hour of commencement and that of termination of the day's work, as also the time and duration of each interval for rest ;

(b) the names of the workmen under the age of seventeen years who perform stone-mason's work in the establishment ;

(c) the registered quarters of the Chief Inspector of Labour for the District.

(2) Should the daily period of work or the intervening intervals for rest not be uniformly arranged for all the workmen, or not for all work days, or should they not be the same for every week, then the various arrangements, as also the names of the workmen who are respectively concerned, shall be stated in the labour list.

(3) The labour list shall not contain any arrangement of working times or rest intervals contrary to the conditions laid down in Sub-sections (1) and (2) of §9, or, if an exemption has been granted in accordance with Sub-section (4) of that Section, contrary to that which has been stipulated by the general administrative regulations as referred to therein.

(4) The labour list shall come into operation on the day fixed thereon, or if no such day is specified on the list, then on the day on which it is dated. It shall apply unchanged until it is replaced by another list. An earlier list will then be considered to have expired, owing to the fact of another labour list coming into operation.

(5) Our Minister may give instructions in regard to the form in which the labour list should be drawn up.

12. (1) Either before or on the date on which a labour list comes into operation, the employer shall send a copy of the list to the Chief Inspector of Labour for the District.

(2) The Chief Inspector of Labour for the District shall forward every month to the Mayor of the Municipality, a monthly return of all labour lists in force in that Municipality which have been sent in to him.

13. (1) The employer shall see to it that no workman performs stone-mason's work in his establishment between the hours stated on the labour list in regard to the termination and commencement of the daily working time, nor during the intervals for rest mentioned for such workman, on the labour list, unless it appear in a document granting exemption, on the strength of instructions laid down in Sub-section (3) of §9, that between those hours, or during those intervals for rest, stone-mason's work may be performed by such workman.

(2) According to the instructions laid down in Sub-section (3) of this Section, the employer shall also see that a workman, during the hours in which he is not allowed to perform stone-mason's work by virtue of the Act, shall not remain in places on his premises where such operations are being continuously performed.

(3) Should the employer have been exempted, in accordance with the conditions laid down in Sub-section (3) of §6 or in §17, from the obligation of installing and placing at the disposal of his workmen the dining-rooms referred to in Sub-section (2), (a), of §6, the Chief Inspector of Labour for the District shall have power to exempt the employer for a certain period, but not for a longer period than such during which the first-mentioned exemption is in force, from the obligation referred to in Sub-section (2) of the Section in regard to some or all of the workmen, and one or more intervals for rest as referred to under Sub-section (1) of this Section. The employer shall take care, in such case, that a workman during his interval or intervals for rest, in regard to which exemption has been granted, shall not remain in a place where, at that time, stone-mason's work is being performed on his premises or works.

14. It shall be prohibited to give as remuneration to persons under the age of eighteen years who perform stone-masons' work, any monetary wages calculated on any basis other than that of actual working hours.

15. The officials referred to in §12 of the Labour Act shall be responsible to enforce this Act, and shall co-operate in the enforcing thereof.

16. The employer, and persons who perform any work on his premises or works, shall be required to, and shall give to the authorised officials, all information which he may require concerning matters and facts, relating to the fulfilment of the instructions included in or issued by virtue of this Act.

17. Exemptions may be given by Our Minister, conditionally or unconditionally, from instructions given under the general administrative regulations issued on the strength of §6, in respect of a work-shop which has been acquired, and put in use for the purposes of his trade, by an employer before or within six months after the proclamation of the general administrative regulations.

18. (1) No exemptions shall be granted by Our Minister, or on his authority, in pursuance of this Act, other than for a definite period. An exemption granted on the strength of §17 shall only be renewed once.

(2) An exemption may be cancelled, if the reason in connection with which such exemption has been granted has ceased to exist, or if one or more of the conditions on which such exemption has been granted have not been observed.

(3) If the exemption be given conditionally, the employer shall take care that the conditions made shall be duly observed.

19. (1) Obligations imposed upon the employer by §§2, 4, 6, 9, 10, 12, 13 and 18 shall apply similarly to his supervising staff, in so far as the latter have been ordered to see to the proper observance of those obligations.

(2) It shall be deemed that the employer and his supervising staff shall have properly observed the obligations referred to in Sub-section (1) of this Section, when it can be shown that the necessary orders have been given by them, that the necessary means have been procured by them, and that they have exercised all supervision which can reasonably be demanded, of them, to ensure compliance with any instruction for the observance of which they are responsible.

20. (1) Any infringement of the instructions laid down under §§2, 4, 6, Sub-section (1), 9, 10, and 12, Sub-section (1), 13, 14, 16, 18, last Sub-section, 19, Sub-section (1), and 30, Sub-section (1), shall be punished with imprisonment for not more than one month or a fine not exceeding 100 florins.

(2) If at the time of the infringement a period of two years has not expired since a former conviction of the person charged has become absolute, or a fine has been paid which had been imposed on him in consequence of such infringement, such offender shall be liable to a term of imprisonment not exceeding two months or a fine not exceeding 200 florins.

(3) In the event of an infringement of a regulation by the employer, a sentence imposed on him by one of the §§2, 4, 9, and 13, or in consequence of the infringement of a similar regulation by the supervising person, in so far as such regulation applies to them on the strength of §19, a separate punishment shall be imposed in respect of every person in regard to whom one of the §§2, 4, 9, and 13 have been violated, and also in respect of every day of twenty-four hours in the course of which one of the §§9 and 13 have been infringed. Furthermore, a separate punishment shall be imposed in respect of every person in regard to whom an infringement of §14 has been committed.

21. Any person who falsely draws up a stone-mason's certificate, or forges such certificate, in order to enable another person to use such certificate for improper purposes, shall be punished by a term of imprisonment not exceeding three months.

22. A person shall be punished with a term of imprisonment not exceeding one month, or a fine not exceeding 150 florins—

(a) who intentionally makes use of a forged or false stone-mason's certificate as if such certificate were valid and authentic ;

(b) who intentionally makes use of a certificate of which it is evident that it was not issued for his use, and acts as if it were issued for his personal use.

23. In addition to the persons indicated in §8 of the Penal Code, the mounted police, all officials of the National and Municipal Police, and also the officials referred to in §12 of the Labour Act, are charged with the investigation of acts subject to penalties in accordance with §§20, 21, and 22.

24. (1) The officials referred to in the preceding Section shall have access to all places where stone-mason's work is carried on or where it is usual to carry on work or where it may reasonably be presumed that stone-mason's work is carried on.

(2) The country constabulary and forest-rangers, the officials of the mounted police who are not assistant officers of justice, and the officials of the National and Municipal Police below the rank of inspector in the National Country Constabulary and of Commissioner of Police, unless they have liberty of access on some other grounds, shall require for the purpose a special written authority from the Mayor or from the Cantonal Judge. A general written order may be given to the members of the constabulary and officials of the National and Municipal Police, mentioned in the previous sentence, provided the right of access does not flow to them on other grounds, and such order, subject to withdrawal in the meantime, shall be in force for a period of three months. This order shall be issued to members of the constabulary and to officials of the National Police by the Cantonal Judge, subject to approval of the Solicitor-General, acting as Director of Police, and to the Municipal Police by the Mayor, subject to approval of Her Majesty's Commissioner.

(3) Should admission be refused to the officials mentioned in the preceding Section, then they shall, if necessary, obtain admission by calling in armed assistance.

(4) Places referred so under Sub-section (1) of this Section which are at the same time used for dwelling purposes, or are only accessible through a dwelling, shall not be entered against the will of the resident without a special order in writing to that effect, given by the Mayor or the Cantonal Judge. A report in writing shall be made by the official, within 48 hours of such entry having been effected, to the person whose residence has been entered.

25. (1) The officials referred to in §23 are bound to keep secret anything that has become known to them about the trade which is carried on, in premises in which they may enter in pursuance of the Act, provided such things are not in conflict with the provisions of the present or of any other Act.

(2) They shall keep secret, except from persons to whose orders they are *ex officio* subjected, the names of any persons who have reported a breach of the regulations laid down by, or pursuant to, this Act, unless the said persons shall have declared expressly that they have no objection to the publishing of their names.

(3) Any person who wilfully betrays secrets referred to under Sub-sections (1) and (2) of this Section, shall be liable to a term of imprisonment not exceeding six months, or to a fine not exceeding 600 gulden, with or without forfeiture of the right to occupy official positions or certain official positions.

(4) Any person responsible for the betrayal of such secret shall be punished with a term of imprisonment not exceeding three months or a fine not exceeding 300 gulden.

(5) No prosecution shall take place unless a complaint be lodged :

(a) by the principal or the manager of the establishment, in case of infringement of the regulations enumerated under Sub-section (1) of this Section ;

(b) by the person whose name has been mentioned in connection with a breach of the regulations enumerated under Sub-section (2) of this Section.

26. The acts punishable under this Act shall be considered as misdemeanours, except those referred to in the §§21, 22, and 25, which shall be considered as criminal offences.

27. All documents, applications, and dispositions drawn up in pursuance of this Act shall be free from stamp duty and from the formality of registration, and shall be issued free of charge, with the exception referred to in Sub-section (8) of §3.

28. By a general administrative regulation as referred to in §6, or in Sub-section (4), of §9, it may be stipulated that the said regulation shall come into operation on a certain date after the twentieth day from notification thereof.

29. In regard to work-places which come under the provisions of this Act, the Safety Act shall not apply in those cases where special provision has been made by the present Act, or in pursuance of the present Act.

30. (1) Should the members of a co-operative society, in order to attain their object, perform stone-masons' work, the managers of such society shall inform the Mayor of the town of the locality in which the operations are carried on, and also furnish the Chief Inspector of Labour for the District with the name and residence of one of the members whom they wish to see registered as the " employer."

(2) In case of non-fulfilment of this obligation, the Mayor shall have authority to designate one of the members as the "employer."

31. Should a person in the employ of a public body perform stone-mason's work in the service of such public body, the employer shall be considered to be the principal or the manager of the establishment in which such work is being undertaken, or if such work is undertaken outside any establishment, the employer shall be considered to be the principal official of the department in the interest of which such work is being undertaken.

32. This Act may be referred to as the "Stone-masons' Act."

33. (1) With the exception of §§2 and 4, this Act shall come into force on a date to be fixed by Us.

(2) §§2 and 4 shall also come into force thereafter on a date to be fixed by Us.

(3) In deviation from the regulations laid down in §3, a stone-mason's certificate may be given within one year after the day referred to in Sub-section (1), to all persons who have reached the age of eighteen years, and who submit to the Mayor of their place of residence a declaration made by a Chief Inspector of Labour for a District, that such person has previously performed stone-mason's work for a period of at least one year.

(4) Should the Chief Inspector of Labour for the District refuse to furnish such declaration, he shall inform the applicant to that effect at the earliest possible time, stating the reasons for such refusal. The applicant may then, within eight days of the date of signature of such communication, lodge an appeal with Our Minister against such refusal.

(5) The decision of the latter shall state his motives. A copy of such decision shall be forwarded to the Chief Inspector of Labour for the District and to the applicant.

Should it be decided that the declaration applied for has been wrongfully refused, such declaration shall thereupon be furnished by the Chief Inspector for the District at the earliest possible time.

(6) A stone-mason's certificate, issued in pursuance of this Section, shall state the name, Christian name, date, and place of birth of the workman.

(7) Our Minister shall give instructions as to the form of the declaration referred to in Sub-section (3).

12. *Besluit van den 20sten October 1911, houdende bekendmaking van den tekst der Arbeidswet 1911.* (Staatsblad No. 319.)

**Decree of 20th October, 1911, containing the notification of the text of the Labour Act, 1911. (No. 319.)**

## TEXT OF THE LABOUR ACT, 1911.

### §1.—Introductory Provisions.

1. (1) By work shall be understood, for the purpose of this Act, all work undertaken in or for any enterprise except—

(a) work in or for an agricultural, horticultural, or arboricultural undertaking or a stock-farm ;

(b) work outside factories and workplaces in or for the undertaking of the person with whom the party carrying out the said work resides, in so far as such work or operations usually also occur outside any undertaking in a household or stable.

(2) Barking oaks, barking osiers, making hoops, and operations in places where flax is broken or swungled, shall be included as within the meaning of this Act.

2. (1) By factories and work places shall be understood, for the purposes of this Act, all spaces, whether open or enclosed, wherein, or for some undertaking, it is the practice to work on the manufacture, alteration, completion, adorning, working-up, or in any other way making suitable for sale or for use, of articles or materials, or where it is usual to subject articles or materials to any operation having this end in view.

(2) Kitchens and installations of this nature where food and beverages are prepared for immediate use, and also apothecaries' shops, shall not be included in the above.

(3) By factories and work places shall be understood, for the purposes of this Act, both electric power stations and electric sub-stations, provided that electric energy is produced, transformed or stored there, in or for some undertaking.

3. In this Act the following words shall be understood as follows :

(a) " Young persons " : persons under seventeen years of age.

(b) " Women " : female persons of seventeen years old or upwards.

*§2.—Respecting the Work of Young Persons and of Women.*

4. No child under thirteen years of age, or still liable to attend school, shall do any work.

5. (1) By general administrative regulations, it shall be provided that certain specified kinds of work, or work under certain specified circumstances, shall not be carried out by persons under eighteen years of age and, in factories and work-places, by female persons of eighteen years or older, on the ground of danger to health, to morals or to life, or shall only be carried out subject to the conditions laid down in the said general regulations.

(2) A provision such as referred to in Sub-section (1) may be limited to persons under eighteen years of age, to female persons eighteen years old or upwards, or to a portion of such groups of persons.

6. (1) A young person and a woman in factories and work-places—

(a) shall not work longer than 10 hours per day and 58 hours per week ;

(b) shall not work between 7 p.m. and 6 a.m.

(2) A female person who is married, or who, without being married, has to attend to a household, and has given notice of this fact to the head or the manager of the undertaking, shall not do any work on Saturdays in factories and work-places after 1 p.m., except in such cases as are specified by general administrative regulation.

(3) By general administrative regulation it may be laid down for all or for some industries, that young persons and women shall do no work on Saturdays, in factories and work-places, after 1 o'clock in the afternoon.

(4) Periods of rest of less than half an hour shall be regarded as periods during which work is being carried on, except whenever, in compliance with Sub-sections (2) or (4) of §7, or in consequence of a condition imposed in pursuance of the present Act, a period of rest of less than half an hour is prescribed.

(5) A young person or woman who is in the habit of doing work in a factory or work-place, shall not do work outside the factory or work-place at other times than those during which, pursuant to the first Sub-section of the present Section, they would be permitted to work in factories or work-places.

(6) Our Minister, who is entrusted with the execution of this Act, may, in the interests of a better regulation of the working hours for a particular undertaking, and for a period specified by him, but not longer than up to 1915, conditionally grant that young persons or women may do work in or

for the said undertaking, during a maximum of  $10\frac{1}{2}$  hours per day, but not more than 58 hours per week.

(7) General administrative regulations may grant to one or to several parishes under the conditions laid down in the present Regulation :

(a) that in factories and work-places young persons of fourteen years of age and upwards, and, subject to the stipulations of the second Sub-section, women, may do work in or for certain industries, certain specified kinds of work, or work under certain specified conditions, between 7 in the evening and 6 in the morning : provided they do not work for more than 58 hours per week, and not longer than 10 hours per day, or by virtue of a concession from the Minister who is entrusted with the execution of the present Act, not more than  $10\frac{1}{2}$  hours per day ;

(b) that women may spit herrings during the period between 1st October and 15th March up to, at latest, 12 o'clock midnight, and from 15th March to 1st June, up to, at latest, 2 o'clock in the morning, on this understanding—that the number of hours during which the said work is carried on shall not amount to more than eight hours per day. The work done between midnight and 2 o'clock in the morning shall be considered to have been done on the previous day.

(8) Should an industry be carried on in any undertaking in which, at certain periods of the year, there is usually an accumulation of work, or should special circumstances arise in an undertaking, the Chief Inspector of Labour for the District may grant in writing, either conditionally or unconditionally, that all the young persons and women who are working in the said undertaking, or a portion of them, may work contrary to the provisions contained in the first and the second, or issued by virtue of the third and the sixth Sub-sections. When granting the said permission, the District Chief Inspector must take into consideration that work may not be carried on for longer than 12 hours per day and 66 hours in seven consecutive days.

(9) The District Chief Inspector shall be under the necessity of applying for authority from Our Minister who is entrusted with the execution of this Act, for each separate case, before the granting of such permission, as specified in the preceding Sub-section, for longer than six days or before at least eight days have elapsed since the termination of a previous permission applying to the same persons.

(10) In regard to an undertaking where it is usual for cases to arise in which special speed is required, making it impossible for an application to be presented and granted. For such permission as indicated in the Sub-section (8), permission may be granted by or in the name of the Minister entrusted with the execution of this Act, either conditionally or unconditionally, that in such cases the Chief Inspector of Labour for the District may allow all young persons and women who are working in or for the said undertaking, or a portion of them, to work contrary to the stipulations of Sub-sections (1) and (2), or pursuant to Sub-sections (3) and (6). In granting such an authorisation which is given for a period of one year after the signature thereof, and which may only be used within the said period on 24 days, or so much less as the said authorisation lays down, the following conditions must be observed :—

(a) that work may not be carried on for more than 11 hours per day and 66 hours in seven consecutive days ;

(b) that the work may not commence more than one hour earlier or end more than one hour later than is provided in the first paragraph, or is permitted pursuant to the sixth or the seventh paragraph under (a) of this article.



(11) An authorisation such as referred to in the foregoing Sub-section may not be made use of on more than two consecutive days. Before the permission is used, a written and dated communication signed by the head or by the manager of the undertaking, must be presented to the Mayor or to the Chief Inspector of Labour for the District, in such a form as is laid down by Our Minister entrusted with the execution of the present Act.

(12) An authorisation as specified in Sub-section (10) may be withdrawn by Our Minister aforesaid in the interim whenever the head or the manager, or one of the heads or managers of the undertaking to which the permission applies, or a member of the supervising staff, is condemned without appeal on account of the transgression of one of the provisions of this Act. A sentence to pay a fine shall be considered as equivalent to a condemnation without appeal, even when the fine is paid voluntarily.

(13) A permission, such as referred to in Sub-section (8), and an authorisation as referred to in the Sub-section (10) of this article, may only be made use of so long as the document granting the said permission or a certificate of the authorisation drawn up in a form stipulated by Our Minister, is kept hanging up near the labour list.

(14) If, pursuant to the seventh Sub-section, under (a), the eighth Sub-section, or the tenth Sub-section, of this article, deviations are permitted from what is laid down in the first or the second, or issued by virtue of the third or the sixth Sub-section, then the work in factories and work-places of a young person or a woman on two consecutive days, must alternate with a night's rest of at least 11 consecutive hours, in which the period between 10 p.m. and 5 a.m. must be included.

7. (1) The working hours of a young person or a woman, on each day on which they do more than six hours' work in factories or work-places, must alternate with a period of rest :

(a) of at least one hour for persons whose working hours end at 6 p.m. or earlier ;

(b) of at least one and a half hours for persons whose working period terminates later than 6 in the evening.

(2) Notwithstanding the stipulations of the first Sub-section, whatever may be prescribed by the Chief Inspector of Labour for the District for any particular undertaking must be carried out in that undertaking in regard to the young persons and women who are working in or for the undertaking in factories or work-places, regarding—

(a) the granting of a period of rest not exceeding half an hour, in addition to that stipulated in the first Sub-section ;

(b) the hours of the day between which the period of rest referred to in the first Sub-section, or that referred to in the second Sub-section under (a), must be given.

(3) The head or the manager of an undertaking may appeal to Our Minister entrusted with the execution of the present Act against an instruction issued by the Chief Inspector for the District by virtue of the preceding Sub-section, within eight days after its signature. The Minister shall give reasons for his decision.

(4) If the instruction is amended on appeal, then the instruction given on appeal shall take the place of that against which the appeal was lodged.

(5) The head or the manager shall not incur any responsibility consequent on an instruction given, so long as it is capable of being appealed against, and so long as no decision has been given with respect to the appeal lodged.

(6) Young persons and women may not, during the periods of rest indicated in this Section, remain in a closed place where work is being carried on at the time.

(7) A certain undertaking may, by or in the name of the Minister entrusted with the execution of the present Act, be provided with a permission, but in that case not for a specified time, to deviate from the first and the sixth Sub-sections of this Section, on such conditions as may appear necessary and on the understanding that the number of hours during which work is carried on shall not exceed those permitted pursuant to §6.

8. (1) Young persons and women may not work in factories and work-places on Sunday. This prohibition shall not apply to the various operations of women in butter and cheese factories, which are specified in the general administrative regulations, provided that those stipulations are observed which have been laid down for all or for some parishes in the said general administrative regulations.

(2) As regards persons who belong to a religious denomination which does not celebrate the weekly day of rest on Sunday, instead of the foregoing prohibition being observed, no work shall be done by them in factories and workplaces during the day accepted by their denomination as the weekly day of rest, if they have notified the head or manager of the undertaking of their desire to this effect, of which a note shall be made in the Works Register after their name.

(3) Where, in a factory or work-place, the work of a young person of the male sex may be indispensable for the purpose of repairs or the cleaning of a steam boiler in use there, the Chief Inspector of Labour for the District may grant permission for this in writing for one particular Sunday, either with or without conditions.

(4) A young person or a woman in the habit of doing work in a factory or work-place shall not do any work outside the factory or work-place in or for the same undertaking on Sunday or on that day which, pursuant to the second Sub-section of the present Section, takes the place thereof.

9. A female person shall not do work in factories or work places within four weeks after her confinement, and, if she is married, before the date of her confinement has been recorded on the working ticket, pursuant to §12.

10. Whenever a young person or a woman is found in an enclosed place where work is being carried on or is wont to be carried on, and which is not, at the same time, a dwelling-room, and whenever a young person is found on board a vessel which is not intended for the conveyance of passengers, and on board whereof the said person does not reside, this person shall be regarded as working in the said place unless it is evident to the contrary.

11. The head or the manager of an undertaking shall give an opportunity to the young persons who are doing work, in or for his undertaking, in factories or work-places, to attend the courses in institutions for religious, continuation, repetition, or vacation schools, in the afternoon after 5 o'clock. Our Minister entrusted with the execution of the present Act may grant exemption from this duty for a definite undertaking and for a period of time specified by him, either conditionally or unconditionally, either in whole or in part.

12. (1) The head or manager of an undertaking shall see that in or on behalf of his undertaking, in factories and work-places—

(a) no work is done by a young person or by a married woman, and

(b) no work is done by a person of seventeen years of age who is not a married woman, which is only permissible for such a person, pursuant to §5, under conditions to be specified by general administrative regulation—

unless he is in possession of a labour ticket relating to the said person or woman which complies with the provisions laid down in the present Section. He shall see to it that the labour tickets are immediately presented, when required, for the inspection of the officials mentioned in §23, and that, so long as they are in his possession, no notes or remarks are entered on the said labour tickets.

(2) Notwithstanding the provisions of the preceding Sub-section, the Chief Inspector of Labour for the District may prescribe for certain undertakings that a young person, a person of seventeen years of age, or a married woman, shall, during their work in factories and work-places in or for the said undertakings, carry about with them a duplicate of the labour ticket referred to in the foregoing Sub-section. The said duplicate must, immediately on request, be presented for inspection to the officials referred to in §23.

(3) The labour ticket shall mention the surname and Christian name, the day and place of birth of the person to whom it relates. Should this be a young person or a person of seventeen years of age, then the labour ticket shall also mention the name and the residence of the head of the household with whom, or of the head of the establishment where the said person resides. Should the labour ticket refer to a married woman, then the ticket, instead of giving the data mentioned in the foregoing sentence, shall indicate her place of residence, the date and the place of her marriage and the name of her husband, and also the dates of her confinements.

(4) The form of the labour ticket shall be drawn up by Our Minister entrusted with the execution of the present Act. Various forms may be drawn up for various groups of persons for whom a labour ticket is prescribed.

(5) The labour ticket shall be signed and issued by or on behalf of the Mayor of the Municipality within which the person resides to whom the said labour ticket applies. Should this person be working in some other municipality, the ticket shall also be signed by, or on behalf of, the Mayor of that Municipality. The date of the confinement of a married woman shall be noted on her card, and countersigned by, or on behalf of, the Mayor of the Municipality in which the confinement took place.

(6) The Mayor shall, in a manner to be prescribed by Our Minister entrusted with the enforcement of the present Act, keep a note of the labour tickets which are issued by him, or on his behalf, as well as of those which are jointly signed by him or on his behalf.

(7) For children under twelve years of age, or such as are still bound to attend school, no labour tickets shall be issued.

(8) For a second or further copy of a labour ticket or of a duplicate as prescribed in the second Sub-section, a sum of 5 cents shall be paid for the benefit of the Municipal treasury.

(9) The labour tickets, the information necessary for the same, and extracts from the records of the civil registers and of the census registers, and also the documents or information from which it may be proved whether a person is still under the obligation of attending school, shall be issued free of charge.

(10) On the termination of the labour engagement between the head or the manager of an undertaking and a person in regard to whom he has a labour ticket in his possession, he shall see that the labour ticket is surrendered without delay to the said person.

13. (1) The head or the manager of an undertaking in which, or for which, work is done in factories or work-places by one or more young persons, by one or more women, or else by more than nine male persons of seventeen years and upwards, shall see that—

(a) in his factory or work-place, at a spot where it is not usual for work to be done by himself exclusively, a dated labour list signed by him, which complies with the provisions laid down in this Section, shall be hung up and remain hanging in such a manner that it can easily be read ;

(b) in his factory or work-place a works register be kept which answers to the provisions of the present Section.

(2) The labour list shall give the names of all the persons employed in or for the undertaking in the factory or working-place, the hour when the day's work begins and ends, and also of each period of rest in between, and likewise the day which is set apart as a weekly day of rest. The list shall likewise indicate the residence of the Chief Inspector of Labour for the District.

(3) Should the daily period of work or the intervening intervals for rest, not be uniformly arranged for all persons or not for all work-days, or should they not be the same for every week, then the various arrangements shall be separately stated on the said labour list.

(4) The labour list may not include any other arrangement than that which is actually followed.

(5) A young person or a woman may not do work in a factory or work-place in or for an undertaking where a labour list is in force relating to him or her, between the hour for cessation of labour and that for beginning the daily period of labour indicated on the list for him or her, nor similarly during the periods of rest indicated for him or her on the said list : both one and other, provided that it is not evident from an order hanging up close to the labour list, given pursuant to or by virtue of this Act, that, during the said hours or during the said period of rest, he or she may do work.

(6) Persons other than young persons and women may do work in deviation from the regulation indicated as applying to them on the labour list. The head or the manager of the undertaking shall see that books are kept relating to these deviations, and that they shall be communicated to the Chief Inspector of Labour for the District at the end of every three months, or after such shorter period as the said Inspector may have prescribed.

(7) The labour list shall come into operation on the day fixed thereon, or, if no such day is specified on the list, then on the day on which it is dated. It shall apply unchanged until it is replaced by another list. An earlier list will be considered to have expired by reason of another labour list coming into operation.

(8) Either before or on the day on which the labour list comes into operation, the head or the manager of an undertaking shall send a copy of the list to the Chief Inspector of Labour for the District. The said Inspector shall forward every month to the Mayor of the Municipality a return of the labour lists which have been sent in to him from any particular Municipality.

(9) By general administrative regulation, under the conditions stipulated in the said regulation, exemption in whole or in part may be granted for definite industries, in reference to the provisions of the second and third Sub-sections of the present Section.

(10) By or in the name of Our Minister entrusted with the execution of the present Act, exemption may be granted to the head or the manager of any undertaking in which an industry is carried on, to which the preceding Sub-section is not applicable, for a definite period of time and, conditionally or unconditionally, in whole or in part, in reference to the provisions of the second and the third Sub-sections of the present Section.

(11) The works register shall give the surname and the Christian name of all persons who are employed in a factory or work-place and, in addition, as regards each of them, the arrangement indicated on the labour list with respect to him or her. The register shall contain the note included in the second Sub-section of §8, relating to the persons by whom a request has been notified to the head or the manager of the undertaking, that Sunday shall not apply as the weekly day of rest for them.

(12) The head or the manager, referred to in the first Sub-section, shall be responsible to see—

(a) that in each room specified by the Chief Inspector of Labour for the District, where work is being done in or for his undertaking, in factories or workplaces, a copy of or an extract from the labour list shall be hung up, and shall remain hanging, in such a position that it may easily be read ;

(b) that the works register shall, without delay, be presented for inspection to the officials referred to in §34 ;

(c) that an opportunity shall be given to the officials specified in §17 to enter the remarks that they may consider desirable on the labour list, and the copies of and extracts from the said list and in the works register, these remarks having reference to the execution of some Act, the supervision and carrying out of which are entrusted to the Department of Labour Inspection ;

(d) that the remarks referred to under (c) shall not be rendered illegible, that nothing shall be added to them, and that no alterations shall be made therein by other persons than the officials referred to under (c).

(13) Our Minister, who is entrusted with the execution of the present Act may decide for all or for some undertakings in what form the provisions of the present Section shall be carried out.

(14) The head or the manager of an undertaking shall be under the obligation to see that a regulation of the Chief Inspector of Labour for the District shall hang up and be kept hanging up close to the labour list, the communications issued in writing, dated and signed by or on behalf of the said Inspector, relating to the carrying out of any Act in respect of which the supervision, as regards the said execution, has been entrusted to the Department of Labour Inspection. He shall see that an instruction of the Chief Inspector for the District to the effect that such communication likewise shall be hung up and be kept hanging up close to all or some copies of the extracts from the labour list referred to in the twelfth Sub-section under (a), is carried out.

14. (1) No person shall cause work to be done in disagreement with what is laid down in or prescribed pursuant to the present Act, nor, provided this has not been permitted by or in the name of Our Minister entrusted with the execution of the present Act, shall he cause young persons and women to

remain in an enclosed place where industrial work is at the time being carried on, during the periods of rest referred to in §7.

(2) The head or the manager of an undertaking shall see that in an open or enclosed space which is used by him or over which he has control, no work be carried on in conflict with that laid down by or by virtue of the present Act, and also that in an enclosed space which is used by him or over which he has control, that which is laid down in the sixth Sub-section of §7, shall be carried out, in so far as no deviation from that provision has been granted by or on behalf of Our Minister.

(3) The obligation referred to in the preceding Sub-section as incumbent upon the head or the manager, shall not apply in respect of persons who do not take any part in the work of the industry, if the said persons are either themselves the head or manager of some other undertaking or in the service of such head or manager.

15. The obligations specified in §6, Sub-section (11), 2nd sentence; §11; §12, Sub-section (1); §13, Sub-section (1), Sub-section (6), 2nd sentence, Sub-section (8), 1st sentence, Sub-sections (12) and (14); §14, Sub-section (2); and §19, Sub-section (2), as resting on the head or the manager, shall be similarly incumbent upon the supervising staff, in so far as they are entrusted by him with the responsibility for the carrying out of the said provisions.

16. It shall be considered that the obligations of the head or the manager and the supervising staff have been carried out, whenever they show that the necessary orders have been given by them, the necessary means have been provided, and that all supervision which can fairly be expected has been exercised, in order to ensure compliance with the provisions, for the execution of which they were responsible.

### §3.—*Supervision.*

17. (1) There shall be a Department of Labour Inspection.

(2) For the purposes of the service of the Department the Kingdom shall be divided by Us into Districts.

(3) The officials of the Department shall, in addition to the duties imposed upon them by other Acts, be entrusted with the enforcement of the present Act and with co-operating in the carrying out thereof. They shall act under orders from Our Minister entrusted with the execution of the present Act, and shall be appointed, suspended, and dismissed by Us.

(4) Their sphere of work and powers shall be regulated by general administrative regulations. At the same time, it shall be laid down that an official shall be appointed as Chief of the Labour Inspection Service, and for each district, and in what manner the appointment shall take effect.

(5) The instructions for the officials of the Department shall be fixed by Us.

(6) A report of the operations of the Department shall be presented annually to the States General.

18. (1) To the officials referred to in the previous Section shall be added such officials and servants as they may require for the exercise of their duties. These shall be appointed, suspended, and dismissed by Us or by virtue of Our authorisation, through Our Minister entrusted with the execution of the present Act.

(2) Their instructions shall be laid down by Our Minister before-mentioned.

19. (1) The head or the manager of an undertaking and the persons employed therein shall be bound to give any desired information to the duly authorised officials, relating to matters and facts which refer to the execution of the present Act.

(2) The head or the manager shall be bound, on application from the Chief Inspector of Labour for the District, with a view to the carrying out of the task described in §17, to give him the opportunity and render him assistance in taking samples of materials or articles which occur, are worked-up, manufactured, prepared or used for the purposes of the said undertaking.

(3) On request from the head or the manager, the Chief Inspector for the District shall, at the same time, give him a sample, which shall be properly packed up and sealed by the said Inspector in the presence of the head or the manager.

20. The officials referred to in §17 are prohibited from taking part, either directly or indirectly, in undertakings to which regulations apply, the operation of which is entrusted to them, or in the carrying out of which they are called upon to co-operate.

21. (1) Every medical man shall be bound to report to Our Minister entrusted with the execution of the present Act, or to an official appointed by the said Minister, in writing, any cases of certain illnesses, specified by general administrative regulation, which he has been called upon to treat. The general regulation may, with respect to all or some of the said illnesses, limit the obligation to report thereon to such cases in which the patient is working in certain specified, industries named in the general administrative regulation, or has been at work within a certain period before the commencement of the said medical treatment.

(2) The general administrative regulation shall lay down in detail the manner in which the obligation specified in the preceding Sub-section must be carried out, and may fix a money compensation for drawing up the said report.

#### §4.—*Penalties.*

22. (1) Offences against the provisions of §6, Sub-section (1), 2nd sentence; §§11, 12, Sub-sections (1) and (10); §13, Sub-section (1), Sub-section (6), 2nd sentence, Sub-section 8, 1st sentence, Sub-sections (12) and (14); §§14, 15, and 19, Sub-sections (1) and (2), shall be punished by imprisonment up to a maximum of 14 days or fine not exceeding 75 gulden.

(2) If, at the time an offence is committed, a period of two years has not yet elapsed since a former sentence of the guilty party for a transgression, as referred to in the previous Sub-section, was confirmed, or since payment of a fine inflicted upon him on account of such an offence, imprisonment up to a maximum of 28 days or a fine not exceeding 150 gulden may be imposed.

(3) A special penalty shall be imposed with respect to each person by whom or in respect of whom the offence was committed, for each day during the course of which the said offence was committed.

(4) A person shall not be punishable for causing a child of twelve years to work who is not bound to attend school, or who fails to see that no work is done by such a child, should he prove that there is no suitable opportunity for instruction to be received by the child in question before 5 o'clock in the afternoon. He shall be regarded as having proved this whenever it appears that a declaration has been given by the head of a school, which the

child left after completing his obligatory school period, or by the Mayor of the parish in which the school is situated, to the effect that there was no more opportunity for the child in question to receive instruction in the said school.

(5) Offences against the provision of §21 shall be punished by a fine not exceeding 50 gulden. A fine not exceeding 100 gulden may be imposed if, at the time the offence is committed, two years have not yet elapsed since the guilty party was condemned without appeal on a previous occasion for a similar offence, or since a fine was imposed on him for a similar offence.

23. (1) In addition to the persons indicated in §8 of the Penal Code, the mounted police, all officials of the National and Municipal Police, and also the officials referred to in §17, are charged with the investigation of acts subject to penalties in accordance with §22.

(2) With respect to the arrangements referred to in §24 of the Act of 2nd June, 1875 (Staatsblad, No. 95), the District Chief Inspectors of Labour and the officials and officers appointed by Our Minister of War, pursuant to the second Sub-section of the said §24 of the Act of 2nd June, 1875 (Staatsblad, No. 95), shall be exclusively charged with the said duty.

(3) The provisions of the first Sub-section of this Section shall not apply to Government work-places and factories. In these places the supervision shall be regulated by the Chiefs of the Departments of the General Administration as regards the application of the Act.

24. (1) The officials referred to in the first Sub-section of §23 shall have access to all places where work is carried on, or where it is usual to carry on work, or in respect of which it may reasonably be presumed that work is carried on therein, with the exception of Government work-places and factories and the installations referred to in §24 of the Act of 2nd June, 1875 (Staatsblad, No. 95), to which only the District Chief Inspectors of Labour shall have access, unless such authority is due to other persons on other grounds.

(2) The country constabulary, and forest rangers, the officials of the mounted police who are not assistant officers of justice, and the officials of the National and Municipal Police below the rank of Inspector in the National Country Constabulary and of Commissioner of Police, unless they have liberty of access on some other grounds, shall require for the purpose a special written authority from the Mayor or from the Cantonal Judge. A general written order may be given to the members of the constabulary and officials of the National and Municipal Police, mentioned in the previous sentence, provided the right of access does not flow to them on other grounds, and such order, subject to withdrawal in the meantime, shall be in force for a period of three months. This order shall be issued to members of the constabulary and to officials of the National Police by the Cantonal Judge, subject to approval of the Solicitor-General, acting as Director of Police, and to the Municipal Police by the Mayor, subject to approval of Her Majesty's Commissioner.

(3) Should admission be refused to the officials mentioned under §23, then they shall, if necessary, obtain admission by calling in armed assistance.

(4) Places where work is carried on or is in the habit of being carried on or in respect of which it may reasonably be presumed that work is carried on there, which are at the same time used for dwelling purposes or are only accessible through a dwelling, shall not be entered against the will of the resident, except with a special order in writing, given by the Mayor or the Cantonal Judge. A report in writing shall be made, within 48 hours of such entry having been effected, to the person whose residence has been entered.



25. (1) The officials referred to in §23 are bound to keep secret anything that has become known to them in places where work is carried on or is in the habit of being carried on, with respect to the trade being exercised therein, provided such things are not in conflict with the provisions of the present or of any other Act. They shall keep secret, except from persons to whose orders they are *ex officio* subjected, the names of any persons who have reported a breach of the regulations laid down by or pursuant to this Act, unless the said persons shall have declared expressly that they have no objection to the publishing of their names.

(2) Any person who wilfully betrays secrets referred to in the foregoing Sub-section shall be liable to a term of imprisonment not exceeding six months, or to a fine not exceeding 600 gulden, with or without forfeiture of the right to occupy an official position.

(3) Any person responsible for the betrayal of such secret shall be punished with a term of imprisonment not exceeding three months or a fine not exceeding 300 gulden.

(4) No prosecution shall take place except by virtue of complaints—

(a) from the head or manager of an undertaking in consequence of an offence against provisions of the 1st sentence of the 1st sub-section ;

(b) from the person whose name has been communicated in connection with an infringement of regulations laid down in the 2nd sentence of the 1st Sub-section.

26. The actions made punishable by virtue of the present Act shall be regarded as offences, except those actions which are made punishable by virtue of Sub-sections (2) and (3) of §25, which shall be regarded as crimes.

#### §5.—*Transitional and Final Provisions.*

27. (1) With respect to work carried on in or for the shipping and fishing industry on board ship, §§6, 7, 8, 10, 11, 12 and 13 shall not be applicable, nor §4 in so far as it relates to the children or wards of the skipper, residing on board.

(2) §§12 and 13 shall not be applicable to work carried on in a factory or work-place in the dwelling-house of the head or manager thereof, who carries on his industry without help from other persons than his wife, blood relations, including relatives up to the fourth degree, and wards.

28. This Act shall not be applicable to operations carried on :

(a) in handicraft and trade schools ;

(b) in mines and works and installations connected with the exploitation of a mine, both underground and above ground ;

(c) in Government educational institutes, in institutes in which children are educated, which are placed at the disposal of the Government, in Government work institutions, in reformatory schools, and in prisons ;

(d) by soldiers on service ;

(e) in or for an undertaking by the head or the manager of the said undertaking.

29. (1) All documents, applications, and dispositions drawn up in pursuance of §2 of the present Act, shall be free from stamp duty and from the formality of registration, and shall be issued free of charge.

(2) The cards mentioned in §12 shall be issued to the Municipal Administrations on behalf of the Government free of charge.

30. By general administrative regulation, issued pursuant to the present Act, it may be laid down that the said regulation, in whole or in part, shall come into operation on a certain date after the twentieth day after the notification thereof.

TRANSITIONAL AND FINAL PROVISIONS (§§XXVI., XXVII. AND XXVIII.)  
OF THE ACT OF 7TH OCTOBER, 1911. (*Staatsblad*, No. 314).

31. (1) The provisions of §3 of the Labour Act, as amended by the present Act\*, shall not apply to children who are 12 years of age when the present Act comes into operation and who are not under obligation to attend school.

(2) The provisions with respect to young persons in the Labour Act, as amended by the present Act, shall not apply to persons who are 16 years of age when the said Act comes into operation. These persons, in so far as they are of the female sex, shall be regarded as women within the meaning of the amended Labour Act.

(3) By general administrative regulations by which it is granted that women may spit herrings at night, it may be provided that such work, in deviation from the provisions in the first Sub-section of §5 of the Labour Act, as amended by the present Act,† may also be admitted under the conditions stipulated in the said general regulations for female persons who are 16 years of age, when the present Act comes into operation.

32. (1) The present Act shall come into operation at a period to be fixed by Us, but not later than 14th January, 1912.

(2) For one year, however, after the period when the present Act comes into operation, Sub-section (2) of §5 of the Labour Act, as amended by the present Act,† shall remain inoperative, and shall, until the said date read, in the said Section, as under :

In Sub-section (1), under (a) : Instead of " 10 hours per day and 58 hours per week " read " 11 hours per day."

In Sub-section (7) under (a) : In place of " 58 hours per week and not longer than 10 hours per day, or by virtue of a concession from the Minister entrusted with the execution of the present Act, not more than 10½ hours per day," read " 11 hours per day."

In Sub-section (8), instead of " 66 hours " read " 72 hours."

In Sub-section (10), instead of " 11 hours " read " 12 hours," and instead of " 66 hours " read " 70 hours."

33. The amended Labour Act may be referred to under the title " The Labour Act, 1911."

13. *Besluit van den 6den December, 1911, houdende bepaling van het tijdstip, waarop in werking zal treden de wet van 7 October, 1911 (Staatsblad No. 314) tot wijziging der Arbeidswet.* (*Staatblad* No. 351).

**Decree of 8th December, 1911, to determine the time at which the Act of 7th October, 1911‡, to amend the Labour Act, shall come into force.**

On the proposal of Our Minister for Agriculture, Industry, and Commerce, dated 2nd December, 1911, No. 2531, Labour Department ;

Having considered §27 of the Act of 7th October, 1911 (*Staatsblad* No. 314) to amend the Labour Act ;

\* §4 of the amended text here given (see p. 48).

† §6 of the amended text here given (see p. 43).

‡ Text E.B. VII., p. 47, No. 12.

We have considered and approved of the following, viz. :

To determine that the Act of 7th October, 1911 (Staatsblad No. 314) shall come into force from 1st January, 1912.

Our Minister for Agriculture, Industry, and Commerce shall be in charge of the execution of this Act, which shall be published in the Government Gazette (Staatsblad).

14. *Besluit van den 6den December, 1911, tot vaststelling van een algemeenen maatregel van bestuur, als bedoeld bij artikel 5 der Arbeidswet, 1911 (Staatsblad No. 319). (Staatsblad No. 352.)*

**Royal Decree of 6th December, 1911, to issue an Order in pursuance of §5 of the Labour Act of 1911.\***

CHAPTER I.—PROHIBITION OF EMPLOYMENT IN OR OUTSIDE  
FABRICES AND WORKSHOPS, OF YOUNG PERSONS.

1. It shall be unlawful to employ young persons—

(a) in lifting, drawing, pushing, carrying, or in any other way propelling loads, when these obviously exceed the power of the worker concerned ;

(b) in dangerous performances or to take part in performances involving danger ;

(c) in repairing, renewing, extending, cleaning, or maintaining electrical circuits, machines, or apparatus belonging to electrical installations, wholly or partially at work :

(1) for lighting or distribution of power, or

(2) in which tensions may occur of 50 volts or more ;

(d) in selling or offering objects for sale, in public thoroughfares or buildings accessible to the public, between the hours of 9 p.m. and 5 a.m. ;

(e) in the manufacturing of coal-briquettes or any employment in relation therewith, on enclosed premises.

The prohibition to clean electric circuits, machines, or apparatus shall not apply in cases where, in the opinion of the Chief Inspector of Labour for the District, the occupations in question are not dangerous.

2. A person under the age of 18 years shall not be employed in the manufacture or treatment of explosive substances.

3. A person under the age of 16 years shall not be employed—

(a) in the picking out, sorting, or marking of soiled linen in a dry condition ;

(b) in the sorting, unstitching, cutting, chopping, or tearing of rags.

4. A person, under the age of fifteen years shall not be employed—

(a) In the construction of cesspools, reservoirs, or cisterns ;

(b) in charge of winches or cranes ;

(c) in the peat industry, in pushing loaded barrows, as also in treating and mixing peat-substances, for the manufacture of hard peat-fuel ;

(d) in occupations in which his wages are calculated otherwise than on a basis of hours of work, if, in the opinion of the Chief Inspector of Labour for the District, the work under those circumstances endangers his health.

5. A person under the age of fourteen years shall not be employed—

(1) (a) on or in ships, house, or other buildings which are in course of construction or restoration ;

\* Text E.B. VII., p. 47, No. 12.

- (b) on roofs, gutterings, and such-like ;
- (c) on step-ladders, where he is liable to fall more than 4 metres ;
- (2) in the treatment and finishing by hand, with the use of tools, of stone in its natural state or of artificial stone, except wet sawing, wet grinding, and polishing, carried on in a workplace where stone in a natural state or artificial stone is not being treated or finished in any other manner ;
- (3) in running errands between the hours of 9 p.m. and 7 a.m.
- 6. A young person shall not be employed—
  - (a) on ladders, scaffolding, galleries, and such-like, where such person is liable to fall more than  $2\frac{1}{2}$  metres, unless protected from falling by foot-boards at least 12 cm. in height, and by a railing of 90 cm. high or by two railings, the upper being 90 cm. high and the lower 30 cm. high, or in any other manner sanctioned by the Chief Inspector of Labour for the District, in writing ;
  - (b) in the proximity of bare live parts of electrical circuits, machines, or apparatus contemplated in §1 (e), unless the parts in question are set up or fenced in such a manner that they cannot be accidentally touched ;
  - (c) as engineers or stokers for machinery and steam boilers, unless the person in question is at least 15 years of age and performs the work in the presence and under the proper supervision of a person at least 20 years of age ;
  - (d) in windmills, except in the presence and under the proper supervision of a person at least 20 years of age ;
  - (e) in small enclosed places, such as tanks, false-bottoms, branch passages, and boilers, in which sources of illumination are used which give off vapours, or where injurious fumes may be present.

## CHAPTER II.—PROHIBITION OF WORK IN FACTORIES AND WORKSHOPS.

### *PART I.—Factories and Workshops in General.*

7. No woman shall be employed in a factory or workshop in lifting, pulling, pushing, carrying, or in any other way propelling loads when these obviously exceed her power, or for any other reason are liable to cause injury to her health.

8. It shall be unlawful to employ a young person or a woman in a factory or workshop—

- (A) in connection with shafting in motion, excepting in taking off and putting on driving belts which are less than 4 cm. broad and which run at a rate of less than 2 metres per second, provided that the taking-off and putting-on can be performed without the workers leaving the floor ;
- (B) in connection with machinery in motion :
  - (1) if the young person or woman wears loose hair, wide or hanging sleeves or clothing, the points or any other portions of which hang loosely, or
  - (2) if the work consists in—
    - (a) lubricating, examining, or repairing ;
    - (b) operations designated as dangerous by the Chief Inspector of Labour for the District or the danger of which is obvious or has been sufficiently proved by experience.
- (C) in cleaning machinery in motion on the floor underneath the same, with the exception of the operations designated by Our Minister, if executed in the manner indicated by him ;

(D) at or under machines at rest while the machinery is in motion, if the work consists of—

(a) lubricating, examining, or repairing ;

(b) occupations designated as dangerous by the Chief Inspector of Labour for the District, or the danger of which is obvious or has been sufficiently proved by experience ;

(c) cleaning, with the exception of operations designated by Our Minister, if executed in the manner indicated by him ;

(E) if the work carried on in conjunction with any other work, *e.g.*, with other processes or with the running of a machine or apparatus, must be performed so quickly that, in the opinion of the Chief Inspector of Labour for the District, it may involve damage to the health of the worker or danger.

The prohibition contained in Sub-section (1) (D) shall not apply if the machines are thrown out of gear or secured conformably to the requirements of the Chief Inspector of Labour for the District or, in cases where no such requirements have been issued, if the machines are thrown out of gear or secured in such a manner that they cannot be set in motion otherwise than intentionally.

9. A young person or a woman shall not be employed in a factory or a workshop—

(A) where shafting or machinery is used :

(1) which can be set in motion from outside the premises in which it is erected ; or

(2) which, in the opinion of the Chief Inspector of Labour for the District, can be set in motion from a great distance, unless, each time before it is set in motion, a signal is given which can be distinctly heard at the place where the shafting or machinery is erected.

(B) where dangerous parts of machinery are present and where such parts are less than 1·80 metres from the floor, such as parts of—

(1) Engines—fly-wheels, cranks, connecting rods, shafts, cotter-pins, belt chains, pulleys, gear-wheels, projecting plunger rods, governor balls, water-wheels, and windmill sails ;

(2) Shafting—cranks, axles, chains, wire-ropes for gearing, belts, pulleys, cotter-pins, bolts, couplings, and locking-bolts ;

(3) Motor-driven machinery—fly-wheels, gear-wheels, cranks, axles, cotter-pins, locking-bolts, bolted couplings, wire-ropes, gear, belts, chains, and pulleys ;

(4) Machinery not power-driven—flywheels of printing machines, punching machinery, metal shears, joint-bending machinery and other machines with equally dangerous parts, gear-wheels of drilling machinery for instance, lathes, centrifugals, winches and hoisting cranes, and levers of punching machines, metal shears, screw-presses and other tools and machinery, where levers are equally dangerous —if those parts are not at all, or insufficiently, protected.

(C) in proximity to shafting less than 1·80 metres from the floor, of which the driving belts exceed 15 cm. in width or revolve at a speed exceeding 14 metres per second, or the driving belts of which consists of heavy chains, cables, or ropes which, if falling, would involve danger, should such belts, chains, cables, or ropes be not at all, or insufficiently, protected ;

(D) at machines of which the running, cutting, or rolling parts may be dangerous to workers, *e.g.*, circular, or band saws, shaping, punching, planing, and cutting machines as used in the treatment of wood, straw-cutting machines, rag and paper-cutting machines, stitching machines, chopping

machines, metal shears, stamping machines, plate presses, mixing and kneading machines, willowing machines in spinning mills, mangling or rolling machines, wringing machines, and machinery for the preparation of minced meat, if such dangerous parts are not at all, or are insufficiently, protected ;

(E) at looms, the shuttles of which make more than 80 journeys across the loom per minute, or more than 60 journeys a minute if the harness is more than 1.50 metres wide, if no, or insufficient, protection has been made against the danger of the shuttles flying out ;

(F) (1) on galleries, landings, and similar places, unless the worker is protected from falling by foot boards at least 12 cm. in height and by a railing 90 cm. high, or by two rails, the upper being 90 cm. high and the lower at least 30 cm. high, or in any other manner sanctioned by the Chief Inspector of Labour for the District in writing ;

(2) in proximity to openings in the floor or wall, unless adequate precautions have been adopted to protect the workers against falling through such openings ;

(3) in places where a lift arrives, descends, or passes, or where danger exists on account of the occasional falling or lowering of objects, unless adequate means for protection have been adopted by fencing, or other precautions ;

(4) where use is made of a step-ladder which has not been adequately constructed, or which is not protected against slipping, falling, or excessive bending.

(G) in the proximity of fixed tanks or troughs containing boiling, hot, or corrosive liquids, or red-hot or molten metal reservoirs and pits, if these be dangerous to workers, should they be inadequately protected by railings fixed at a height of 90 cm. or by other means ;

(H) in work performed under conditions which are likely to be injurious to the eyesight of the workers, unless adequate means of protection are provided for the exclusive use of the party concerned ;

(J) in work in which the young persons or women are exposed to great radiating heat, glaring light, flying splinters, or splashes of a liquid, which therefore may cause danger, should no adequate means for protection be installed or be provided for the use of such persons or women ;

(K) in which, in the opinion of the Chief Inspector of Labour for the District, after consultation with the medical adviser, such person or woman is exposed to serious eye diseases or the eyesight is liable to suffer, unless a declaration has been furnished by an oculist designated by the Chief Inspector of Labour for the District, in agreement with the medical advisor, to the effect that the labour in question, if performed with the adoption of certain protective measures, provided for the use of such person or woman, does not involve particular danger to the eyesight of such person or woman.

The prohibition contained in (G) shall not apply to open ground tanks in tanneries if, in the opinion of the Chief Inspector of Labour for the District, the work would be seriously impeded by the use of fencing, and the risks arising out of the use of the tanks are inconsiderable.

The prohibition contained in (J) respecting employment in work, in which the workers are exposed to radiating heat or glaring light, shall not apply in cases where, from the nature of the work, the workers are so exposed for very short periods only, and the use of adequate means of protection would be particularly inconvenient, unless the Chief Inspector of Labour for the

District informs the principal or manager of the factory or workshop that he considers that the young persons or women are liable to be injuriously affected by work performed under these conditions.

The declaration referred to in (K) shall be drawn up in a form to be approved by Our Minister.

The Chief Inspector of Labour for the District may issue special regulations in regard to the means of protection, fencing, or safety measures, and the manner in which the signal, referred to in (A) shall be given, as referred to in this Section. In case of non-observance or insufficient observance of these regulations, the means of protection, fencing, or safety measures shall be deemed not to be present or provided, or the aforesaid signal shall be deemed not to be sufficiently audible at the place where the machines or shafting are mounted.

10. A young person or a woman shall not be employed in a factory or workshop—

(A) in a work-room in which no provision has been made for an adequate and sufficient supply of fresh air and for the escape of foul air ;

(B) in a work-room in which insufficient protection is made against objectionable draught ;

(C) in which no, or insufficient, precautions have been taken against the development or dissemination of injurious or objectionable gases or vapours or dust ;

(D) in a work-room in which, in the opinion of the Chief Inspector of Labour for the District, a danger exists of injury to the health, by reason of the presence of underground water, sewer, sanitary convenience, urinal, dung or rubbish heap, stable, or similar premises, or where refuse is kept in the room, which is liable to putrefaction, or in the appurtenances of which a danger exists of injury to the health by reason of the presence of underground water.

If orders have been issued by the Chief Inspector of Labour for the District in regard to the method of ventilation to be adopted as referred to in (A), or the prevention of draught, as referred to in (B), or the prevention of the development or dissemination of gases, vapours, or dust, referred to in (C), and should all or any of these instructions not be carried out in accordance with his orders, the conditions referred to in (A), (B), and (C) shall be considered to exist in the factory or workshop.

Should no special orders have been issued, as referred to in the preceding paragraph, in regard to the regulations referred to in (A), it shall be considered that the supply of fresh air and the escape of foul air is insufficient in a work-room in which proper ventilation is not ensured by mechanical appliances, should the total superficial area of all openings which communicate directly with the open air not equal at least 3 sq. dcm. (3'-2" sq.) for each worker, with a minimum total of 40 sq. dcm. (4'-3 sq.), in which calculation doors shall not be taken into account.

11. No young person nor woman shall be employed in a factory or workshop where they are exposed—

(a) to a temperature of 32°C. if the outside temperature is below 29°C. in the shade ;

(b) to a temperature which exceeds the outside temperature in the shade by more than 3°C. if the latter temperature is 29°C. or more.

This prohibition shall not apply in cases where the nature of the process is such that the young person or woman is only exposed intermittently for short periods to a temperature exceeding 32°C. unless the Chief Inspector

of Labour for the District informs the principal or manager of the factory or workshop in writing that he considers the young person or woman in question liable to be injuriously affected by work performed under these conditions.

12. A young person or woman shall not be employed in a factory or workshop—

(A) in work-places which are not heated in cold weather up to a temperature of  $10^{\circ}\text{C}$ . or any higher temperature which the Chief Inspector of Labour for the District may consider necessary to secure proper and sufficient warmth, should the work performed by such young person or woman require little physical exertion ;

(B) in work-places, the roof of which is constructed of tiles or metal which are insufficiently watertight, unless—

(a) the nature of the work performed in such work-place excludes the possibility of preventing such condition, or

(b) the roof has an average height of more than 4 metres above the floor, and no great quantity of water-vapour can be caused to disseminate in the work-place by the nature of the work performed, or

(c) the work-place is an open shed or airy wooden building.

(C) where the roof of the premises consists wholly or partially of glass, and the instructions of the Chief Inspector of Labour for the District in respect of the precautions to be taken to ensure a tolerable temperature have not been complied with ;

(D) in places not fitted with a wooden floor or wooden grating, should the Chief Inspector of Labour for the District consider that the performance of work at such places might be injurious to the young persons or women concerned ;

(E) in places where the workers are continuously exposed to a temperature of from  $25^{\circ}$  to  $32^{\circ}\text{C}$ ., unless the measures prescribed by the Chief Inspector of Labour for the District for lowering the temperature have been adopted ;

(F) anywhere, other than in premises adequately protected against inclemencies of the weather, if, in the opinion of the Chief Inspector of Labour for the District, the health of a young person or woman is liable to suffer by the carrying on of certain work, defined by him, in the open air, or on premises insufficiently enclosed.

The prohibition referred to in (A) shall not apply in cases where, in view of the nature of the work, it is impossible to heat the work-place to the required extent, provided that the young persons or women shall not remain continuously in the work-place for a longer period than that permitted by the Chief Inspector of Labour for the District.

13. A young person or woman shall not be employed in a factory or workshop unless a sufficient supply of pure drinking water or other suitable non-alcoholic beverage is provided in sufficient quantity for the use of such person or woman, should the Chief Inspector of Labour for the District have issued orders to that effect.

14. A young person or woman shall not be employed in a factory or workshop unless suitable sanitary conveniences shall have been provided.

15. A young person or woman shall not be employed in a factory or workshop—

(A) in work-places where a large quantity of water is used in the performance of the work, unless suitable arrangements have been made for adequately draining off such water ;



(B) in work-places where suitable spittoons have not been provided, where considered necessary by the Chief Inspector of Labour for the District ;

(C) in a work-place which, as far as possible, is not maintained in a cleanly condition and free from dust and moisture.

The Chief Inspector of Labour for the District shall be authorised to issue further instructions in regard to the stipulations referred to in (A) and (C).

In case of non-observance or insufficient observance of such instructions, it shall be considered that the draining of the water has been insufficiently provided for or that the work-place has not been maintained in a sufficient condition of cleanliness and freedom from dust and moisture.

16. A young person or woman shall not be employed in a factory or workshop—

(A) in work-places which are insufficiently lighted during hours of work ;

(B) in work-places where direct sunlight cannot be excluded, should the Chief Inspector of Labour for the District consider that the health of the young person or woman is liable to be injuriously affected thereby ;

(C) in work-places where artificial light is required between the hours of 9 a.m. and 3 p.m. in order to ensure sufficient lighting, unless such artificial light is rendered necessary by abnormal conditions of the weather.

The provisions referred to in (A) and (C) of the preceding Section shall not apply to the employment of young persons or women in work-places where, in view of the nature of the work, it is impossible to admit daylight or a sufficient amount of daylight, as referred to in (A), provided that—

(a) no work shall be performed by such person or woman in such work-places during other hours than those which have been fixed by the principal or the manager in a written regulation of hours of work ;

(b) the hours of work shall have been so regulated that such person or woman shall be given the opportunity of being in the daylight during such number of hours per diem as may be considered necessary to health, and

(c) the regulation of the hours of work referred to in (a) shall be posted up in the work-place in a conspicuous position, after having been forwarded to the Chief Inspector of Labour for the District and having been sanctioned by him in writing.

In the event of the Chief Inspector of Labour for the District refusing to give the sanction referred to in the preceding paragraph, the principal or the manager of the factory or workshop may appeal to Our Minister.

The said Minister shall then institute an inquiry.

Should he consider that the regulation of the hours of work should be sanctioned he shall inform both the Chief Inspector of Labour for the District and the principal or manager of the factory or workshop to that effect. The Chief Inspector of Labour for the District shall thereupon furnish the required sanction.

Should he consider that the regulation of the hours of work should not be sanctioned, Our Minister shall notify both the Chief Inspector of Labour for the District and the principal or manager of the factory or workshop of the necessary alterations to these regulations, with a view to their being sanctioned.

In the application of the second paragraph of (C), the Chief Inspector for the District shall act in accordance with the decision of Our Minister.

A work-place shall be considered insufficiently lighted in regard to the regulations laid down in the first paragraph under (A), should the total area of the openings through which daylight may enter be less than one-tenth of the floor area, unless, in view of special circumstances, the Chief Inspector of Labour for the District shall consider the lighting to be sufficient.

The Chief Inspector may at any time revoke a written sanction as referred to in the second paragraph under (C), should he consider that such sanction has been proved to be unjustified.

Sanction granted in pursuance of the fifth, or, after application, of the sixth, paragraph, shall not be revokable except by authority of Our Minister.

17. A young person or woman shall not be employed in a factory, workshop, or on premises in which there is insufficient free air space.

The free air space shall be considered sufficient—

(a) should the work-place be an open shed or airy wooden building ;

(b) if in work-places having an average height designated in the first column of the following table, a free air space is available for each person who is present therein, as stated in the second column of the table opposite each measurement.

AVERAGE HEIGHT OF WORKPLACE.						FREE AIR SPACE AVAILABLE FOR EACH PERSON.
3'00m. or more	..	..	..	..	..	6'0 cubic m.
2'90m.	..	but under	3'00m.	..	..	6'4 "
2'80m.	..	..	2'90m.	..	..	6'8 "
2'70m.	..	..	2'80m.	..	..	7'2 "
2'60m.	..	..	2'70m.	..	..	7'8 "
2'50m.	..	..	2'60m.	..	..	8'6 "
2'40m.	..	..	2'50m.	..	..	9'6 "
2'30m.	..	..	2'40m.	..	..	11'0 "
2'25m.	..	..	2'30m.	..	..	12'0 "
2'20m.	..	..	2'25m.	..	..	13'2 "
2'15m.	..	..	2'20m.	..	..	14'8 "
2'10m.	..	..	2'15m.	..	..	17'0 "
2'05m.	..	..	2'10m.	..	..	20'0 "
2'00m.	..	..	2'05m.	..	..	24'0 "

In calculating the free air space and the mean height of the work-place, only those portions of the work-place shall be taken into account in which the height is 2m. or more.

The free air space of the work-place shall be held to be the total free air space of the parts contemplated in the foregoing paragraphs. The mean height shall be ascertained by dividing the number of cubic metres representing the total free air space of such parts by the number of square metres in the area of the corresponding part of the floor.

The maximum number of persons who may lawfully be employed in work-places shall be ascertained by dividing the number of cubic metres representing the total free air-space of the work-place by the number of cubic metres which must be allowed for each person employed in the work-place. Fractional parts shall not be counted in the calculation.

Work-places, the height of which does not anywhere equal at least 2m., shall be held to contain insufficient free air-space, in regard to the application of the first paragraph.

In the application of these provisions any place communicating with a work-place in such a manner that it cannot be shut off, shall be held to be part of the work-place, provided that the opening by which they communicate is not less than 1·80 square metres.

Without prejudice to the provisions contained in the foregoing paragraph, the number of persons who may lawfully be employed in a work-place connected with other premises shall not exceed one and a half times the number who might lawfully be employed if the premises were entirely separated.

18. The provisions of this Part shall also apply to factories and work-places referred to in Parts II-IV., in so far as no exceptions have been laid down in those paragraphs.

*PART 2.—Factories and Workshops in which certain Processes are carried on or certain Materials are present.*

19. No young person or woman shall be employed in a factory or work-shop :—

(A) On : (1) embroidering, (2) weaving damask, silk or coloured cotton materials, (3) treatment of diamonds or other precious stones, (4) glass-cutting, (5) engraving or wood-cutting, (6) instrument making, (7) lace-making, (8) bead-threading, (9) type-setting, (10) machine knitting, (11) gold and silver-smith's work, (12) making of hair-works, (13) sewing, (14) quilting, excepting leather quilting, (15) drawing (designing), (16) the manufacturing or repairing of clock-work, unless in those places where such work is performed the illuminating measurement equals at least 30 Hefner-units at a distance of 1 metre.

(B) In any kind of work other than those named under (A) which require good light, unless in the workplace in which such work is carried on the illuminating measurement equals at least 20 Hefner-units at a distance of 1 metre.

20. No young person or woman shall be employed in a factory or work-shop :—

(A) In workplaces where ether, naphtha, benzine or other volatile fluids are present, the fumes of which are liable to form explosive mixtures with the atmosphere, unless such liquids are kept in properly closed metallic vessels and are not present in the work-place in a larger quantity than is required for the proper execution of the work, and such quantity shall in no circumstances be greater than will be required for one day's use, or unless such liquids are kept and transported in closed vessels in a manner which, in the opinion of the Chief Inspector of Labour for the District, offers sufficient guarantee of safety.

(B) When liquids as referred to in (A) are present and :—

(a) such liquids, where they are present outside the work-place, in the factory or workshop, are not kept in observance with the instructions given by the Chief Inspector of Labour for the District ;

(b) if adequate fire-extinguishing appliances are not kept and maintained in proper working order in or near the work-place ;

(c) if no adequate means of escape are provided in the event of fire.

(C) In a work-place in which explosive materials are manufactured or treated, unless :—

(a) in that work-place there is at least one door which opens outwards, which can at any time easily be opened from inside and which offers adequate means of escape in case of fire ;

(b) the windows let in diffused sunlight only ;  
 (c) iron or steel implements are used only where absolutely necessary for the requirements of the work ;

(d) the quantity of explosive substances kept in the work-place does not exceed the quantity necessary to the proper execution of the work ;

(e) suitable fire-extinguishing appliances are maintained in good working order in or near the work-place.

(D) In a work-place where the processes carried on are of such a nature as to give rise to a risk of explosion, and in rooms which are directly connected or may be directly connected with the work-place in question, unless—

(a) there is no fire in the work-place or rooms and all the artificial light is sufficiently insulated, and unless the fires or insufficiently insulated artificial light in other parts of the factory or workshop are at such a distance as to avoid all risk of explosion ;

(b) suitable fire-extinguishing appliances are maintained in good working order in or near the work-place ;

(c) there are adequate means of escape in case of fire.

(E) In a work-place which is near explosives kept in the establishment, unless the substances in question are stored in a safe manner, conformably to the requirements of the Chief Inspector of Labour for the District.

21. With regard to the application of the provisions hereinafter contained in this Part, work shall come under classes (A), (B), (C), (D), (E), (F), (G), (H), (J), or (K), according to the nature of the conditions under which it is carried on.

Class (A) shall include work in work-places where, or where as a rule, the following processes are carried on :

- (1) the preparation of white lead ;
- (2) the preparation of sugar of lead, oxide of lead, or red lead ;
- (3) the burning (reducing) of lead ashes ;
- (4) the preparation of chromates ;
- (5) the preparation of colours containing mercury ;
- (6) the preparation of poisonous cyanogen compounds ;
- (7) the preparation of verdigris ;
- (8) the preparation or manufacture of white phosphorus ;
- (9) the preparation or manufacture of mercuric chloride ;
- (10) the preparation or manufacture of mercury or mercury-foil ;
- (11) the preparation or manufacture of arsenic or compounds of arsenic ;
- (12) the manufacture of white vitriol ;
- (13) the manufacture or repair of electrical accumulators ;
- (14) the further manipulation of the substances or articles named in (1)-(13) inclusive, in order to prepare them for delivery or use ;
- (15) the extraction of zinc from ore ;
- (16) the preparation or manufacture of enamels for enamelled goods, if the enamel contains lead to an extent of more than half per cent. of its weight in a dry state ;
- (17) where the air is contaminated by dust, generated or disseminated in the grinding, mixing or sifting of cement, lime, chalk,

slag stone, glass, shells, or trass or in the dry grinding and cutting of metals or glass ;

(18) the preparing, grinding or packing of chloride of lime.

Class (B) shall include work in work-places where :—

(1) the air is liable to be contaminated by poisonous dust which disseminates through the bronzing process in printing works, framing works, or any other industry ;

(2) poisonous colours are regularly mixed, prepared, or used.

(3) poisonous cyanogen compounds are regularly manufactured or produced ;

(4) the polishing of glass is carried out by the use of powder containing lead—

should the Chief Inspector of Labour for the District consider that there is serious danger that the poisonous substances will injuriously affect the health of the workers employed at the place where the work is performed.

Class (C) shall include work in work-places where there are usually disseminated, to an extent which in the opinion of the Chief Inspector of Labour for the District is injurious, substances which can from their nature cause poisoning, such as acroleine, ether, ammonia, amyl acetate, aniline, arseniuretted hydrogen, acetic acid, benzine, benzol, carbolic acid, chlorine, creosote, hydrofluoric acid, formaline, wood spirit, carbon monoxide, carbonic acid, mercury, naphthaline, nitrogen compounds, nitrobenzol, phosphoretted hydrogen, picric acid, oxide of zinc, hydrochloric acid, sulphurous acid, carbon bisulphide, and sulphuretted hydrogen.

Class (D) shall include work :—

(1) in the treatment of raw hides ;

(2) in the sorting or treatment of raw wool or other unclean animal hair ;

(3) in work-places where the air is liable to be contaminated by dust arising in the manufacture of brushes and paint brushes ;

(4) in the sorting of rags or in work-places where the air is liable to be contaminated by dust arising from rags or old paper ;

(5) in the sorting and treatment of bones ;

(6) in the washing, scraping, sorting, or rinsing of gut.

Class (E) shall include work in work-places where lead, lead alloys, or lead compounds are regularly used in :—

(1) adjusting of weights ;

(2) capsule factories ;

(3) printing works ;

(4) lead glass workshops ;

(5) shot foundries ;

(6) type foundries ;

(7) type-setting works, including works where type-setting machines are used ;

(8) lead pipe factories ;

(9) lead rolling works ;

(10) lead smelting works ;

(11) metal goods factories ;

(12) musical instrument factories ;

(13) organ pipe factories ;

(14) stereotype works ;

(15) file-cutting works

—unless the Chief Inspector of Labour for the District has given a written declaration that in his opinion the work in such work-place is not liable to affect injuriously the health of the workers by lead-poisoning.

Class (F) shall include work in diamond-cutting and cleaving works where lead or lead alloys are regularly used.

Class (G) shall include work in work-places where the air is liable to be contaminated by dust, originating or being disseminated :—

- (1) in the hewing and sawing of stone ;
- (2) in the dry grinding of materials other than metals or glass ;
- (3) in treating articles or materials with the use of the sand-blast ;
- (4) in the cleaning of castings from sand or clay ;
- (5) in the work carried on in lime slacking works other than that referred to in Class (A) (17) ;
- (6) in sawing wood ;
- (7) in sawing and turning horn, bone or vegetable ivory ;
- (8) in the manufacture of moss-litter ;
- (9) in the manufacture of briquettes ;
- (10) in bark crushing ;
- (11) in grinding or sifting spices ;
- (12) in bronzing in lithographic and typographic work, or in any other industry in which bronze, of a non-poisonous nature, is used ;
- (13) in the manufacture of cotton-wool ;
- (14) in the cleaning of flock and feathers ;
- (15) in the weaving or braiding of cocoanut fibre ;
- (16) in the manufacture or grinding of felt ;
- (17) the sifting of grain or seed ;
- (18) in the manufacture of straw ;
- (19) in the manufacture of brooms

—unless the Chief Inspector of Labour for the District shall have given a written declaration that in his opinion the work in such work-place is not liable to affect injuriously the health of the workers by dust.

Class (H) shall include work in work-places where cigars or cigarettes are manufactured or tobacco is treated in a dry condition.

Class (J) shall include work in work-places where flax or hemp is beaten, broken, scutched or hackled without the use of power-driven machinery.

Class (K) shall include work in work-places where :—

- (1) mechanical weaving is carried on ;
- (2) mechanical spinning is carried on ;
- (3) cotton or jute is being treated prior to being spun ;
- (4) the fibrines not referred to in (3) are carded ;
- (5) woven or knitted materials are treated in the rough in a dry state ;
- (6) flax or hemp is broken, beaten, scutched or hackled with the use of power-driven machinery.

22. A young person or woman shall not be employed in a factory or workshop as referred to in Class (A) of §21.

23. A male person of 17 years of age shall not be employed in a factory or workshop as referred to in §21, Class (A), (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (15), (16) and (18).

24. A young person or woman shall not be employed in a factory or workshop as referred to in §21, Class (B), unless the following provisions are observed :—

(1) In the work-place in which such young person or woman works sufficient free air space shall be available, unless such work-place is an open shed or airy wooden building.

The free air space available shall be deemed to be sufficient, if in work-places having an average height as designated in the first column of the following table, free air space is available for each person present, as stated in the second column opposite each measurement.

AVERAGE HEIGHT OF WORK-PLACE.						FREE AIR SPACE AVAILABLE FOR EACH PERSON.
3'00m. or more	..	..	..	..	..	7'00 cubic m.
2'90m.	"	but less than	3'00m.	..	..	7'50 "
2'80m.	"	"	2'90m.	..	..	8'00 "
2'70m.	"	"	2'80m.	..	..	8'50 "
2'60m.	"	"	2'70m.	..	..	9'00 "
2'50m.	"	"	2'60m.	..	..	10'00 "

The provisions contained in §17, paragraphs (3) and (8) inclusive, shall apply, with the proviso that in paragraphs (3)–(6) of the said Section, "2'50m." shall be read for "2'00m."

(2) There shall be available at the factory or workshop certificates in regard to the young persons or women employed, stating that the work will not involve any special danger to the life or health of the persons concerned; such certificates shall be drawn up after examination by a medical practitioner appointed by the Chief Inspector of Labour for the District, in agreement with the Medical Expert of the Department.

The Chief Inspector of Labour for the District may require in writing that the certificates contemplated in the foregoing paragraph in respect of the young persons and women employed in the factory or workshop, shall be available at the factory or workshop within a stated time; such certificate shall be issued according to the date of the communication from the Chief Inspector of Labour for the District.

These certificates shall be drawn up in the form prescribed by Our Minister, and shall be produced immediately on demand to an official named in §23, first paragraph, of the Labour Act of 1911 (Staatsblad, No. 319).

(3) Adequate precautions against poisoning, conformable to the requirements of the Chief Inspector of Labour for the District, must be adopted in work-places.

(4) An overall, properly marked for its wearer and sufficiently washed and dried, shall be provided on the first workday of each week for each young person or woman, to be worn exclusively by each such person during that week, while at work.

Should the Chief Inspector of Labour for the District give instructions:—

(a) that, in addition to the first work-day of the week, the overall shall be changed for a clean one on other days as well;

(b) as to the pattern or the manner of marking the overalls, —such instructions shall be observed.

(5) A suitable place shall be provided for depositing clothing which the young person or woman must remove before commencing work, in conformity with the requirements of the Chief Inspector of Labour for the District.

(6) It shall be unlawful for a young person or woman to keep or to partake of food, or to remain during meal-times in the work-place, unless the Chief Inspector of Labour for the District shall have expressed the opinion that this cannot incur danger to life or health.

Suitable arrangements for partaking of meals shall be provided for a young person or woman, where the Chief Inspector of Labour for the District has given instructions to that effect.

(7) In the factory or workshop, suitable washing conveniences, separate for each sex, shall be provided in the building.

The number of washing conveniences shall be so arranged that five persons at most who have simultaneous intervals for rest or meals, shall need to use the same convenience.

Each washing convenience shall be provided with soap and a sufficient number of towels, and arrangements shall be made for adequately drawing off the waste water and for the supply of a sufficient quantity of fresh water.

Where the Chief Inspector of Labour for the District shall give instructions to that effect—

(a) a certain number of nail-brushes, as he shall deem necessary, shall be provided with each washing convenience ;

(b) a certain number of towels shall be provided in such a manner and at such times as he shall deem necessary ;

(c) an adequate supply of hot water shall be maintained in such washing conveniences.

In other respects the washing conveniences shall be arranged conformably to the requirements of the Chief Inspector of Labour for the District.

Sufficient time shall be allowed to the persons referred to, in order to enable them to make use of the washing conveniences.

(8) The floor of the work-place shall be suitably constructed and such that it can be kept properly clean.

(9) The floor of the work-place shall be scrubbed or scoured at least once a week, unless in the opinion of the Chief Inspector of Labour for the District the floor is adequately treated with dust-absorbing oil and there are no cracks in the floor.

(10) At least once every fifteen months the walls and ceiling of the work-place shall be properly whitewashed, washed or cleansed in any other manner, according to their nature.

25. A person under the age of eighteen years or a woman shall not be employed in a factory or workshop as referred to in §21, Class (C), unless the provisions of §24 (1) and (2), with the exception of the first paragraph, (3) and (6), second paragraph, are observed, and such person or woman does not remain in the work-place during meal-times.

26. Without prejudice to the provisions of §3 (B), a young person or woman shall not be employed in a factory or workshop as referred to in §21, Class (D), unless :

(A) the provisions of §24 (6) and (7), with the exception of the fourth paragraph (c), as well as the following provisions, are observed—

(1) adequate precautions conformable to the requirements of the Chief Inspector of Labour for the District shall be adopted against contagion or poisoning ;

(2) the floor of the work-place shall be suitably constructed and such that it can be kept properly clean and disinfected.



(B) Furthermore, the following provisions shall be observed :

(1) the provisions of §24 (2), with the exception of the first paragraph, if it concerns work as referred to in Class (D) (1) ;

(2) the provisions of §24 (1) and (2), with the exception of the first paragraph, and (5), if it concerns work, as referred to in Class (D), (2), (3), (5) and (6) ;

(3) the provisions of §24, Sub-sections (1) and (2), with the exception of the first paragraph, (4) and (5), if it concerns work, as referred to in Class (D) (4).

27. A young person or a woman shall not be employed in a factory or workshop as referred to in Class (E), (3), (6), (7) and (14), of §21, unless the provisions of §24, (1), (2), (4), (6), (7), with the exception of the fourth paragraph, (C), (9) and (10) are observed.

A young person or a woman shall not be employed in a factory or workshop as referred to in Class (E), (1), (2), (4), (5), (8) to (13) inclusive, and (15) of §21, unless the provisions of §24, (1), (2), with the exception of the first paragraph, (4), (6), (7), with the exception of the fourth paragraph, (c), (9) and (10) are observed.

28. A young person or a woman shall not be employed in a factory or workshop as referred to in §21, Class (F), unless—

(a) make-weights, consisting of lead, are adequately covered ;

(b) the provisions of §24, (1) are observed, in case the work-place in which the work is performed is not included in those referred to in (c) ;

(c) in case the work-place in which the work is performed is situated in a factory or workshop or in a part of these put in use after 1st September, 1909, and the work-place has an available free air space of at least 10 cubic metres for each person present, in the calculation of which only those parts shall be taken into account of which the height amounts to 3 metres or more, inasmuch as such parts are not situated above a height of 5 metres ;

(d) the provisions of §24 (2), with the exception of the first paragraph, (6), (7), with the exception of the fourth paragraph, (c), (9) and (10) are observed.

29. A young person or a woman shall not be employed in a factory or workshop as referred to in §21, Class (G), unless the provisions of §24, (1) and (2), with the exception of the first paragraph, are observed.

30. A young person or a woman shall not be employed in a factory or workshop as referred to in §21, Class (H), unless the provisions of §24, (1), (2), with the exception of the first paragraph, (6), (8), (9) and (10) are observed.

31. A female person or a woman shall not be employed in a factory or workshop as referred to in §21, Class (J).

A male young person or a woman shall not be employed in a factory or workshop as referred to in §21, Class (J), unless the provisions of §24 (1), as well as the following provisions are observed :

A certificate shall be kept in the factory or workshop in regard to such person or woman which has been issued by a medical practitioner appointed by Our Minister, to the effect that he or she may perform such work without being liable to particular danger to life or health.

Such certificate shall be drawn up in a form prescribed by Our Minister, shall be valid for one year only, and may be revoked at any time by the medical practitioner who issued the same.

The certificate referred to shall immediately be shown on demand to one of the officials referred to in §23 of the Labour Act of 1911 (Staatsblad, No. 319).

32. A young person or woman shall not be employed in a factory or workshop, referred to in §21, Class (K), unless the provisions of §24 (2), with the exception of the first paragraph, are observed.

A young person or a woman shall not be employed in a factory or workshop referred to in §21, Class (K), (1) and (2), should the atmosphere in the work-place be damped in an artificial manner, unless the following provisions are observed :—

(1) A thermometer, in proper working order and provided with a wet bulb, similar to those contained in psychrometers, shall be fixed in the centre of the work-place as well as on or near the side walls, in positions which may further be designated by the Chief Inspector of Labour for the District.

Half degrees Celsius shall be distinctly marked on such thermometer, and quarter degrees shall be clearly indicated.

(2) The temperature, indicated by this thermometer, shall not exceed 25° C. unless the temperature in the open air exceeds 32° C. in the shade, in which case the temperature indicated by the former may exceed 25° C. by as many degrees as the temperature in the open air in the shade exceeds 32° C.

(3) Should the humidity of the atmosphere be maintained by the introduction of air saturated with water-vapour, the water used for this purpose shall be pure, or purified conformably to the requirements of the Chief Inspector of Labour for the District, and the conducting pipes used for the introduction of this air shall be kept properly clean.

(4) Should the atmosphere in the work-place be humidified by the introduction of steam, the steam pipes used for this purpose shall be covered with a non-conducting material, where the Chief Inspector of Labour for the District shall give instructions to that effect.

**PART 3.—Establishments for the Manufacture of Bricks from earth or clay ; roof, pavement, and wall-tile works ; and Establishments for the Manufacture of Earthenware Pipes.**

33. The provisions contained in this Part shall apply to work in :—

(1) Establishments where bricks are manufactured from earth or clay and in brick-fields, viz. :

(a) treading, preparing earth or clay, and putting the clay on to the moulding tables ;

(b) filling the moulds by hand ;

(c) taking the bricks out of moulds containing more than one brick, or moulds containing only one brick but having a cubic capacity of more than 2.2 cubic decimetres ;

(d) propelling loaded trucks ;

(e) filling the kilns ;

(f) drawing baked bricks from the kiln before these are perfectly cold.

(2) Works for the manufacture of tiles, pavement tiles, and earthenware pipes, viz. :

(a) treading ;

(b) working the clay by hand ;

(c) filling the moulds by hand ;

(d) propelling loaded trucks ;

(e) filling the kilns ;

(f) drawing baked tiles, pavement tiles, or earthenware pipes from the kiln before these are perfectly cold ;

(3) Wall tile-works, viz. : drawing baked tiles from the kiln before these are perfectly cold.

34. It shall be unlawful to employ persons under sixteen years of age or women in work named in §33.

The prohibition contained in the first paragraph shall not apply—

(a) in the case of unmarried women above sixteen years of age or named in §33 (1) (d) ;

(b) in the case of women above sixteen years of age, to the arranging and stacking of bricks in the kilns in which they are to be baked, provided that the occupier or manager of the works—

(I.) is in possession of a certificate, drawn up after examination by a medical practitioner appointed by Our Minister, certifying that the work in question entails no danger to the person in question, in due regard to her age ;

(II) provides a place for the medical examination contemplated under (I.) which, in the opinion of the Chief Inspector of Labour for the District, in agreement with the medical practitioner concerned, is suitable for the purpose ; and

(III.) produces immediately on demand to any one of the officials designated in the first paragraph of §23 of the Labour Act of 1911 (Staatsblad No. 319), the certificate contemplated in (I).

The certificates contemplated in (I.) shall be drawn up in the form prescribed by Our Minister. They shall be valid only for a specified time, and may be revoked at any time.

Where a certificate is revoked, the medical practitioner shall communicate the fact of its revocation without delay to the occupier or manager of the works who holds the revoked certificate.

**PART 4.—Factories and Workshops in which Ceramic Industries are carried on.**

35. The provisions of this Part shall apply to work performed in factories and workshops where ceramic industries are carried on, in so far as lead compounds are prepared, applied or used which contain more lead than  $\frac{1}{2}$  per cent. of the dry weight in a dry condition, in a form other than sulphide of lead (galena, lead-ore), or in so far as objects are therein treated to which such lead compounds are applied.

The work shall be divided into Classes I., II, III., IV., V., VI., VII., and VIII.

Class I. shall comprise work in rooms where, or where as a rule, the preparation of glaze takes place, including grinding, sifting, mixing, and making of glaze.

Class II. shall comprise glazing (dipping into the dipping-tub or applying glaze in any other manner, e.g., by spraying) ;

Class III. shall comprise work other than that belonging to the preceding Class which is performed when applying glaze to articles, namely—

- (1) putting-up (the regular handing of articles to the dipper) ;
- (2) taking-off (the receiving of dipped articles) ;
- (3) the giving of finishing touches to the coating of glaze or the removing of superfluous glaze, in so far as this is not done in glost placing ;
- (4) carrying away (taking dipped articles to the glost-placing shop) ;
- (5) the washing of boards and cleaning of tubs ;
- (6) the taking of saggars with glazed articles to the oven.

Class IV. shall comprise work which is performed in glost-placing (placing of dipped articles in saggars) or, when no saggars are used, the work consisting in the placing of dipped articles in the ovens.

Class V. shall comprise work consisting in the preparation, grinding and mixing of ceramic colours.

Class VI. shall comprise work consisting in—

- (1) the decoration of glazed articles ;
  - (2) the application of ceramic colours to articles by spraying or dusting
- when either is done in a manner which is considered dangerous by the Chief Inspector of Labour for the District, in consultation with a medical officer of the Department of Labour Inspection.

Class VII. shall comprise work consisting in—

- (1) the application of ceramic colours to biscuit or glost ware by printing or painting ;
  - (2) the preparation of dipped articles or the application of ceramic colours to articles by spraying or dusting
- when either is done in a manner which is considered but little dangerous by the Chief Inspector of Labour for the District, in consultation with a medical officer of the Department of Labour Inspection.

Class VIII. shall comprise work not mentioned in the foregoing classes carried on in rooms where work belonging to one or more of the foregoing classes is done, and in circumstances in which there is danger of poisoning in the opinion of the Chief Inspector of Labour for the District, in consultation with a medical officer of the Department of Labour Inspection.

For the purpose of this Part there shall be understood—

- by “biscuit,” baked ware not covered with varnish or glaze ;
- by “glaze,” the mass with which biscuit is covered in order to obtain a vitreous coating by heating ;
- by “glost ware” the earthenware on which the glaze has been changed into a vitreous coating by heating.

36. It shall be unlawful to employ a person under 16 years of age or a woman in work belonging to Classes I., II., V., or VI. of §35.

37. It shall be unlawful to employ a person under 16 years of age or a married woman in work belonging to Class III. of §35.

It shall be unlawful to employ an unmarried woman over 16 in such work, unless the provisions of §24 (4), (5) and (7), and of §28 (c), as also the following provisions are observed :

- (1) the glaze to be applied shall contain no lead compounds which have not been vitrified by fusion ;
- (2) when treated with an aqueous solution of hydrochloric acid containing 25 per cent. of hydrochloric acid in accordance with the method indicated in the last paragraph of this Section, the glaze to be applied shall not yield more than  $2\frac{1}{2}$  per cent. of monoxide of lead in solution ;
- (3) a dated certificate shall be available in the factory or workshop showing that the physical condition of the woman is not of such a nature that this work would involve special danger to her.

This certificate must be issued either by a medical officer of the Department of Labour Inspection nominated by Our Minister or by another medical man nominated by Our Minister, and it must be entered in a register of the form prescribed by Our Minister, which must be kept in the manner also to be determined by Our Minister.

The certificate shall not date back more than three months ; it may be withdrawn at any time by the medical officer of the Department of Labour Inspection nominated in pursuance of the preceding paragraph.

The register shall be immediately produced for examination upon the application of one of the officials mentioned in the first paragraph of §23 of the Labour Act of 1911 (Staatsblad No. 319).

For the purpose of the medical examination a room must be available which is suitable in the opinion of the Chief Inspector of Labour for the District, after consultation with the nominated medical officer of the Department of Labour Inspection.

(4) No woman shall partake of any food or remain during meal-times in the factory or workshop elsewhere than in a mess-room which is fitted up in accordance with the requirements of the Chief Inspector of Labour for the District.

The method mentioned in the second paragraph (2) is as follows :—

One part by weight (if possible, 1 gr.) of the substance dried at 100°C., to a constant weight is shaken for one hour with 100 parts by weight of an aqueous solution of hydrochloric acid containing 25 per cent. of hydrochloric acid. The mixture is then allowed to settle for one hour, after which the liquid, which is settled as much as possible, is drawn off by a syphon and completely clarified by filtration. In a known part of the clear filtrate, which must, however, not contain less than three-quarters of the original quantity of liquid, the lead is precipitated as sulphide of lead by means of sulphuretted hydrogen. The sulphide of lead is next dissolved by heating with dilute nitric acid (Sp. Gr., 1·2). After removing the excess of nitric acid by evaporation on the water-bath, the lead is precipitated as lead sulphate by means of an excess of dilute sulphuric acid with the addition of double the volume of alcohol. If in addition to the lead sulphate other salts which are precipitable by alcohol are contained in the solution, no alcohol is added. After at least 12 hours have elapsed the lead sulphate is separated by filtration : acid if precipitated by means of alcohol, it is washed with this liquid : and if no alcohol is added for precipitation, first with dilute sulphuric and afterwards with alcohol. The weight of the precipitate is next ascertained, after heating it to a dull-red heat and cooling it down in the desiccator. Finally, the weight of monoxide of lead is calculated from the weight of lead sulphate found.

38. It shall be unlawful to employ a person under 16 years of age in work belonging to Class IV. of §35.

It shall be unlawful to employ a woman in such work unless the provisions of §24 (4), (5) and (7) and §28 (c), and of §37 (1), (2), (3) and (4) are observed.

39. It shall be unlawful to employ a person under 16 years of age or a woman in work belonging to Class VII. of §35, unless the provisions of §24 (7) are observed.

40. It shall be unlawful to employ a person under 16 years of age or a woman on work belonging to Class VIII. of §35, unless the provisions of §24 (4), (5) and (7) and of §37 (3) and (4) are observed, in so far as compliance with those provisions is necessary in the opinion of the authorised inspector for the district.

## CHAPTER III.

## APPEALS.

41. The Chief Inspector of Labour for the District shall issue in writing the instructions, requirements, and decisions contemplated in this Decree.

He shall date the documents in question.

Should the occupier or manager concerned have grounds for complaint respecting the instructions, requirements, or decisions of the Chief Inspector of Labour for the District, or respecting a refusal by the Chief Inspector of Labour for the District in regard to a request made to him in accordance with the provisions of this Decree, he may appeal within eight days to Our Minister.

Our Minister shall give his decision after investigating the matter.

A copy of the decision giving the reasons for the same shall be sent to the principal or manager of the works or undertaking.

Should the instruction or requirement be wholly or partially annulled, or the decision or refusal be held to be wholly or partially incorrect, the decision given on appeal shall be substituted for the said instruction, requirement, or decision or refusal against which the appeal was lodged.

The principal or manager shall incur no liability arising from any instruction, requirement, or decision, so long as an appeal may be lodged against the same, and so long as an appeal has been lodged and no decision has been given.

42. The principal or manager of the factory or workshop may make a written application for permission to perform certain work if, in pursuance of this Decree, the Chief Inspector of Labour for the District has given any decision in regard thereto. Should no decision in regard to such application be received within eight days, he may appeal to Our Minister within one month dating from the expiration of this term.

The latter shall decide, after investigation of the matter. A copy of the decision, giving reasons for the same, shall be sent to the principal or the manager of the works or undertaking.

Should the decision grant a permit to have certain work performed, or stipulate conditions in regard thereto, these shall be substituted for the permit or conditions, given by authority of the Chief Inspector of Labour for the District.

Until a decision has been given in reference to any appeal or application, the work concerned shall be held to be prohibited.

43. Should a medical practitioner, who has been appointed in pursuance of this Decree, express the opinion that certain work is liable to incur particular danger to life or health of a young person, a person of 17 years of age, or a woman, he shall inform the person concerned to that effect in writing. Such person, or his lawful representative, may then appeal to Our Minister for a re-examination within eight days after the date of such communication.

The latter shall appoint one or more medical practitioners for that purpose.

The declaration of the last-named medical practitioner or practitioners shall carry equal weight, in the application of this Decree, with the declaration of the medical practitioner in charge of the first examination.

## CHAPTER IV.

## FINAL PROVISIONS.

By, or by authority of Our Minister exemption may be granted, conditionally or unconditionally, from the provisions contained in §§3, 4 (A) and (C),

5 (2), 6 (D), 10, 3rd paragraph, 11, 14, 16 (A), 17, 22, 31, first paragraph, 34, first paragraph, in so far as concerns the work referred to in §§33 (2), (b), (e), (f), and (3); 37, first paragraph, and 38 first paragraph; furthermore, from the provisions contained in §24 (1) and (8), 26 (A) (2), 32 (2)–(4), inclusive, and 37, second paragraph, (2), in so far as concerns the prohibition of work which depends upon the observance of one or more conditions: provided that, in regard to the last-named provisions, the glaze, when subjected to the process contemplated in §37, shall not, in its dissolved state, contain more than 5 per cent. of lead monoxide.

Exemption from the provisions contained in §§3 (A), 4 (A), 5 (2), 6 (D), and 38, first paragraph, and from the provisions contained in §37, first paragraph, in so far as concerns persons under 16 years of age, shall not be granted, except in regard to persons already employed before 12th August, 1909, in work to which the said provisions apply.

Exemptions from the provisions contained in §§3 (B) and 4 (C) can only be given in regard to those persons who were already employed or had been employed during the year 1911 on work to which the said provisions apply.

Exemptions from the provisions contained in §§14, 16 (A), and 17 shall only be valid until 12th August, 1913; exemptions from the provisions contained in §§11, 22 and 24 (1), (8), and 26 (A), Sub-section (2), 31, first paragraph, 37, first paragraph, and 38, first paragraph, shall only be valid until 12th August, 1914; and exemption from the provisions contained in §§10, third paragraph, 32 (2) to (4) inclusive, and 34, first paragraph, shall only be valid until 1st January, 1915.

Exemptions granted from the provisions of Our Decree of 10th August, 1909 (Staatsblad No. 290), as amended by Our Decree of 6th February, 1911 (Staatsblad No. 47), until any date after the day on which this Decree shall take effect, shall remain valid up to the date until which they have been granted, and thereafter shall be considered as exemption from the provisions contained in the corresponding provision of this Decree. In so far as they concern persons under the age of 16 years, and have been granted until the date on which such persons shall have reached the age of 16 years, they shall be held to have been granted until those persons have reached the age of 17 years.

Declarations made by medical practitioners in regard to certain persons, in pursuance of the provisions of Our Decree before mentioned, and which are in force at the date on which this Decree shall come into force, shall remain valid for the application thereof, for the time during which they should have been in force, in accordance with the provisions on the basis of which they have been issued.

45. In regard to the application of this Decree to State workshops and factories, the duties entrusted to the Chief Inspector of Labour for the District shall be held to be entrusted to the officials designated in the last paragraph of §23 of the Labour Act of 1911 (Staatsblad No. 319) appointed by the Director of the Department concerned (Department van Algemeen Bestuur).

46. In this Decree shall be understood by—

“Young persons”: persons under the age of 17 years, with the exception of those who were 16 at the time when this Decree comes into force;

“Women”: female persons of 17 years or older, as also female persons of 16 years of age at the time when this Decree comes into force;

“Our Minister”: Our Minister charged with the enforcement of this Decree.

Our Minister of Agriculture, Industry and Commerce shall be responsible for the enforcement of this Decree, which shall be published in the Government "Gazette" (Staatsblad), and a copy of which shall be sent into the State Council (Raad van State).

15. *Besluit van den 6den December 1911, tot vaststelling van een algemeenen maatregel van bestuur, als bedoeld bij artikel 6. 7de lid, onder a, der Arbeidswet 1911* (Staatsblad No. 319). (Staatsblad, No. 353.)

**Decree of 6th December, 1911, issuing a general administrative regulation in pursuance of §6, seventh paragraph (a), of the Labour Act of 1911.\***

1. In the trades mentioned below permission shall be granted to depart from the provisions of §6, first paragraph (b), of the Labour Act of 1911 (Staatsblad No. 319), in addition to the provisions of §3, in so far as is stated for each of these trades, provided that—

(a) the number of hours, during which young persons and women perform any work, shall not exceed 11 hours per day of twenty-four hours, until one year from the date on which this Decree shall come into force, and after that date shall not exceed 10 hours per day of twenty-four hours and 58 hours per week, unless longer hours have been granted for performing such work, in pursuance of any provision of the Labour Act of 1911 (Staatsblad No. 319);

(b) the hours of work of young persons and women in any case shall be interrupted by the intervals for rest provided by or in pursuance of the provisions of §7 of the Labour Act of 1911 (Staatsblad No. 319), in so far as, by or on the authority of Our Minister in charge of the execution of the Act, no permission shall have been given to depart from the provisions of that Section.

#### *I.—Anchovy Salting Works.*

(Trades carried on in.)

It shall be lawful for a young person of 14 years of age or over, and for a woman, to be employed between the hours of 7 and 10 p.m. during the period from 1st April till 1st August, on work consisting of anchovy-salting, or preliminary work necessary for such salting, on the condition that his or her hours of work shall be interrupted, after each period not exceeding five hours' continuous labour, by an interval of at least half an hour for rest.

#### *II.—Confectioners and Cooks.*

(Trades carried on in the Work-places of.)

It shall be lawful for a young person of the male sex of 14 years of age or over to be employed on work between the hours of 7 and 8 p.m. on the condition that his daily work-time shall not commence before the hour of 8 a.m.

This provision shall not apply to the trades referred to carried on in the work-places of confectioners and cooks who also are bakers.

#### *III.—Plaice-Fishing.*

It shall be lawful for a young person of 14 years of age or over, and for a woman, to be employed between the hours of 7 and 10 p.m. during the period from 1st July till 1st December, on work consisting of cleaning, knitting, or baiting of hooked fishing-nets, on condition that his or her hours of work

\* Text E.B. VII., p. 47, No. 12.



shall be interrupted, after each period not exceeding five hours' continuous labour, by an interval of at least half an hour for rest.

*IV.—Oak-Bark Peeling and Osier Peeling.*

It shall be lawful for a young person of 14 years of age or over, and for a woman, to be employed on work between the hours of 5 and 6 a.m. on the condition that his or her hours of work shall be interrupted after each period not exceeding four and a half hours' continuous labour by an interval of at least half an hour for rest.

*V.—Shrimp-Peeling Factories.*

(Trades carried on in.)

It shall be lawful for a young person of 14 years of age and over, and for a woman, to be employed on work during the period from 1st May till 1st December between the hours of 5 and 6 a.m., on the condition that his or her daily hours of work shall not continue beyond the hour of 5 p.m. ; or between the hours of 7 and 9 p.m. on the condition that his or her daily hours of work shall not commence before the hour of 9 a.m. ; and, furthermore, on the condition, which shall apply to both cases, that his or her hours of work shall be interrupted after each period not exceeding five hours' continuous labour by an interval of at least half an hour for rest.

*VI.—Glass Factories.*

(Trades carried on in.) •

It shall be lawful for a young person of the male sex of 14 years of age or over to be employed between the hours of 5 and 6 a.m. or 7 and 10 p.m. on work connected with the melting and cooling furnaces on the following conditions, viz. :

(a) that he shall not work longer than nine hours per day of twenty-four hours ; and

(b) that his hours of work shall be interrupted, after each period not exceeding five hours' continuous labour, by an interval of at least half an hour for rest.

*VII.—Clog Factories.*

(Trades carried on in.)

It shall be lawful for a woman to be employed on work during the period from 1st October till 1st April between the hours of 7 and 8 p.m., on condition that her daily hours of work shall not commence before the hour of 8 a.m.

*VIII.—Women employed on Sewing, Embroidering, Dressmaking, or Preparing Women's Fancy Work.*

(Trades carried on in work-places of.)

It shall be lawful for a female person of 16 years of age or over to be employed on work between the hours of 7 and 8, during the period from two weeks before till eight weeks after Easter Sunday, and from 1st October till 7th December, on the condition that her daily hours of work shall not commence before the hour of 8 a.m.

*IX.—Brickfields.*

(Trades carried on in.)

It shall be lawful for a young person of 16 years of age or over to be employed on work during the period from 1st April till 1st October, between

the hours of 5 and 6 a.m., and for a woman to be employed during that period and between those hours, on work consisting of turning on edge and bringing to the kilns of unbaked bricks, from the place where these are made, on the condition that his or her hours of work shall be interrupted after each period not exceeding three and a half hours' continuous labour by an interval of at least half an hour for rest.

*X.—Peat Works.*  
(Trades carried on in.)

It shall be lawful for a young person of 14 years of age or over, and for a woman, to be employed on work between the hours of 5 and 6 a.m., on the condition that his or her hours of work shall be interrupted after each period not exceeding four and a half hours' continuous labour by an interval of at least half an hour for rest.

*XI.—Factories for the Manufacture of Preserves or Fruit-Juices.*  
(Trades carried on in.)

It shall be lawful for a woman to be employed on work during the period from 1st May till 1st November between the hours of 7 and 9 p.m., on condition that—

(a) her daily hours of work shall not commence before the hour of 8 a.m. ;

(b) her hours of work shall be interrupted after each period not exceeding four and a half hours' continuous labour by an interval of at least half an hour for rest.

*XII.—Fish-Smoking, Drying and Salting Works, and Establishments for the Preliminary Treatment of Fresh Fish, with the exception of Anchovy-Salting Works.*

(Trades carried on in.)

It shall be lawful for a person of 14 years of age or over, and for a woman, to be employed between the hours of 7 and 10 p.m. on work to prevent the deterioration of fish, or on work directly connected therewith, on the condition that his or her hours of work shall be interrupted after each period not exceeding five hours' continuous labour, by an interval of at least half an hour for rest.

*XIII.—Wind or Water Power.*

(Trades carried on in Establishments exclusively driven by.)

It shall be lawful for a person of 14 years of age or over, and for a woman, to be employed on work between the hours of 7 and 10 p.m., should insufficient wind or water power have prevented him or her from performing work during 10 hours of the day of twenty-four hours, terminating at 7 p.m., on the condition that his or her hours of work shall be interrupted after each period not exceeding five hours' continuous labour, by an interval of at least half an hour for rest.

2. It shall be lawful for a woman of 23 years of age or over to be employed, between the hours of 7 and 10 p.m., in an undertaking in which work is carried on of such a nature that cleaning of machinery, apparatus or tools, or of the work-place during the usual working time is difficult or impossible, on work consisting of such cleaning operations, on the condition that she does not perform any other labour in such undertaking.

3. The permission to depart from any provision issued in pursuance of §§1 and 2 shall not apply if the hours of work of a young person or of a woman

are not so arranged that his or her hours of work, on any two successive days of twenty-four hours, are interrupted by a continuous night's rest of at least 11 hours.

4. In this Decree shall be understood by—

“ Young persons ” : persons under 17 years of age, with the exception of those who shall have reached the age of 16 years at the time when this Decree shall come into force ;

“ Women ” : female persons of 17 years or over, as also female persons who shall have reached the age of 16 years at the time when this Decree shall come into force.

Our Minister of Agriculture, Industry, and Commerce shall be responsible for the execution of this Act, which shall be published in the Government “ Gazette ” (Staatsblad), and a copy of which shall be sent in to the State Council (Raad van State).

16. *Besluit van den 6den December 1911, tot vaststelling van een algemeenen maatregel van bestuur, als bedoeld bij artikel 6, 7de lid, onder b, der Arbeidswet 1911 (Staatsblad No. 319). (Staatsblad No. 354.)*

**Decree of 6th December, 1911, issuing a general administrative regulation, in pursuance of §8, seventh paragraph (b), of the Labour Act of 1911.\***

1. Women may be employed in spitting herrings after the hour of 10 p.m., provided the provisions contained in §§2 to 17, inclusive, are observed.

2. The following Table gives :

In Column I., the townships (municipalities) in which women may be employed in spitting herrings after the hour of 10 p.m., in pursuance of §1.

In Column II., the period or periods during which in each township such work may be performed by women after the hour of 10 p.m.

In Column III., the hours until which, during the period mentioned, such work may be performed by women in each township.

In Column IV., the number of times which a woman may be allowed to perform such work after the hour of 10 p.m. during the period mentioned for each township.

COLUMN I.	COLUMN II.	COLUMN III.	COLUMN IV.
Huizen .. ..	15th March/1st June	2 a.m.	15
Monnikendam ..	1st October/15th March	12 midnight	20
.. ..	15th March/1st June	2 a.m.	15
Bunschoten .. ..	15th March/1st June	1 a.m.	15
't Bildt .. ..	15th March/1st May	2 a.m.	5
Harlingen .. ..	15th March/1st May	2 a.m.	10
Barradeel .. ..	15th March/1st May	2 a.m.	10
Kampen .. ..	15th March/1st June	2 a.m.	15
Stad-Vollenhove ..	15th March/1st June	2 a.m.	15

3. Our Minister shall be authorised to decide that, contrary to §2, a woman may be employed in spitting herrings more than 15, but at the utmost 25, times until the hour of 2 a.m. in the township of Huizen and Kampen during the period from 15th March till 1st June.

4. The number of hours during which a woman is employed in spitting herrings shall not exceed eight hours on any day on which she performs such work after the hour of 10 p.m.

\* Text E.B. VII., p. 47, No. 12.

For the application of this Section the work performed between the hours of midnight and 2 a.m. shall be held to have been performed on the preceding day.

5. An interval for rest shall be allowed to a woman employed in spitting herrings after each work-time of at the most four hours, if such woman shall be employed on this work after the hour of 10 p.m. in any undertaking where such work is performed.

In the hours of work referred to shall be included any hours of work before the hour of 10 p.m. which were not followed by an interval for rest.

Intervals for rest of shorter duration than half an hour shall be held to have been hours of work.

6. When a woman has been employed in spitting herrings after the hour of 10 p.m. she shall be allowed an unbroken interval of at least seven hours for rest.

7. In an undertaking in which a woman is employed in spitting herrings after the hour of 10 p.m., the principal or manager, or one of the principals or managers of the undertaking in which, or on behalf of which, the work is performed shall be present on the spot at the time during which such woman shall be working.

The Chief Inspector of Labour for the District, or in urgent cases the Mayor of the township, shall have authority to give a written permit to a principal or manager, allowing him to be substituted by a person whose name shall be mentioned in the permit, during a definite period, if, for reasons subject to the approval of the person authorised to issue such permit, he should be prevented from being present in person.

The Mayor shall not issue a permit referred to for a period exceeding six successive days of twenty-four hours, and not unless a period of eight days shall have expired since the termination of a previous permit issued by him on behalf of the same undertaking.

The person named in the permit shall not perform spitting work during the time in which he takes the place of the principal or manager.

8. It shall be unlawful for a woman who is in an advanced state of pregnancy to be employed in spitting herrings after the hour of 10 p.m.

9. During the time in which a woman is employed in spitting herrings after the hour of 10 p.m. she shall carry on her person a medical certificate stating that such woman may be employed in spitting herrings during night hours without danger to her health.

A number of coupons shall be attached to this certificate.

The principal or the manager shall put his signature on one of these coupons and fill in the date of these in the order of the numbers printed thereon each time that such woman shall be employed in spitting herrings after 10 p.m. and before the commencement of such work.

The coupon, duly filled in and signed, shall remain attached to the certificate during the performance of the work in reference to which it has been filled in and signed.

In the event of the granting of a permit to a principal or manager as referred to in §7, second paragraph, the filling in and signing of the coupons shall be undertaken by his representative.

The certificate referred to in the first paragraph shall be drawn up, signed, and issued by a medical practitioner appointed by Our Minister, and shall not date back more than one year.

The form of the certificate and coupons shall be drawn up by Our Minister.

The principal or manager, or their representative, shall see that the certificate, together with the coupons, shall be immediately shown on demand to the officials referred to in §23 of the Labour Act of 1911 (Staatsblad No. 319).

The principal or manager, or their representative, shall send the coupon, duly filled in and signed, to the Mayor of the township, in which the undertaking is situated within 16 hours after a woman has been employed in spitting herrings after the hour of 10 p.m. in or on behalf of the undertaking, but at the latest at 2 p.m.

Certificates issued in pursuance of Our Decree of 14th February, 1910 (Staatsblad No. 64), and which are valid at the time when this Decree shall come into force, shall remain valid (for the application thereof) for the period for which they should have been valid for the purpose of the Section before mentioned.

10. If, after examination, the medical practitioner referred to in the fifth paragraph of the preceding Section considers that the spitting of herrings during night hours is injurious to the health of a woman, he shall inform her to that effect in writing. She or her legal representative may then, within eight days after the date of such communication, request Our Minister for a re-examination.

The latter shall appoint for that purpose one or more medical practitioners.

A certificate of the last-mentioned medical practitioner or practitioners shall be of the same value in the application of this Decree as those issued by the medical practitioner in charge of the first examination.

The provisions of the preceding Section shall apply to such certificate.

11. The floor of the work-place in which a woman shall be employed in spitting herrings after the hour of 10 p.m. shall be constructed of stone, cement, asphalt or similar materials, shall be sufficiently sloping and properly maintained in order that no water shall lie anywhere.

12. An open shed or airy wooden building shall not be considered to be a suitable place for a woman to be engaged in the work of spitting herrings after the hour of 10 p.m.

13. The distance between the floor, or, if wooden grates or boards have been placed on this, between the upper side of these grates or boards and the upper edge of the tubs or basins in which the herrings which are to be spitted have been deposited shall not be less than 80m., and such tubs or basins shall not be deeper than 60m.

14. In or near the work-place, as referred to in §11, arrangements shall be made, under conditions of cold weather for a woman who shall be employed in spitting herrings after the hour of 10 p.m. to warm herself during the time in which she is thus employed, such arrangements to be continually accessible for the woman concerned.

These arrangements shall be made in such a manner that the products of combustion escape directly into the open air.

15. A woman shall be provided during the time in which she is employed in spitting herrings after the hour of 10 p.m. under conditions of cold weather, with hot coffee or any other hot beverage, provided it is non-intoxicating, and at all times with pure drinking water or other suitable beverage, providing these are non-intoxicating, in sufficient quantity and free of charge.

16. The wages of a woman for spitting herrings between the hours of 10 p.m. and 2 a.m. shall be at least twopence (10 cents) per hour more than those which she would receive according to the scale of such wages for spitting if it were done between the hours of 6 a.m. and 10 p.m., and furthermore, in

the calculation of those increased wages, parts of an hour shall be calculated as full hours.

The scale of wages referred to shall be posted up in a prominent position in each work-place in which spitting is performed, to the satisfaction of the Chief Inspector of Labour for the District.

The principal or manager of an undertaking in which the spitting of herrings is carried on after the hour of 10 p.m. shall keep proper records of the wages earned by women who are employed by him in spitting herrings, to the satisfaction of the Chief Inspector of Labour for the District.

He shall show these records immediately on demand to any of the officials referred to in §23 of the Labour Act of 1911 (Staatsblad No. 319).

17. If the principal or manager, or one of the principals or managers, of an undertaking has been irrevocably sentenced, or a fine shall have been paid by him imposed in consequence of an infringement of any of the provisions contained in this Decree, it shall be illegal for him to employ women for the purpose of spitting herrings after the hour of 10 p.m. in or on behalf of such undertaking during a period of twelve months after the sentence became irrevocable or the fine was paid.

18. The Chief Inspector of Labour for the District shall send, at the earliest possible date, a copy of any permit granted by him in pursuance of §7 to the Mayor of the township.

The Mayor of the township shall send, at the earliest possible date, to the Chief Inspector of Labour for the District before mentioned a copy of any permit granted by him in pursuance of §7, as also the coupons received by him after having entered in the records the remarks made therein.

19. In this Decree shall be understood by :

"Woman" : female persons of 17 years or over, as also female persons who have reached the age of 16 years at the time when this Decree shall come into force ;

"Our Minister" : Our Minister in charge of the execution of this Decree.

Our Minister for Agriculture, Industry and Commerce shall be in charge of the execution of this Decree, which shall be published in the Government "Gazette" (Staatsblad), and a copy of which shall be sent in to the State Council (Raad van State).

17. *Besluit van den 6den December 1911, tot vaststelling van een algemene maatregel van bestuur, als bedoeld bij artikel 8, 1ste lid, der Arbeidswet 1911* (Staatsblad No. 319). (Staatsblad No. 355.)

**Decree of 6th December, 1911, issuing a general administrative regulation in pursuance of §8, first paragraph, of the Labour Act of 1911.\***

1. The prohibition contained in §8, first paragraph, of the Labour Act of 1911 (Staatsblad No. 319), shall not apply to the work described herein performed by a woman in a butter factory, viz. :—

(1) churning ;

(2) butter-washing ;

(3) butter-salting ;

(4) butter-kneading ;

(5) cleaning of articles used in the work referred to in this Section on the day on which this work has been performed.

\* Text E.B. VII., p. 47, No. 12.

The prohibition before mentioned, in regard to a woman performing the work referred to shall not apply in the following conditions, viz. :—

(a) that the work is part of the labour which is performed regularly, if not daily, by such woman for the undertaking, provided that she may be substituted by another woman in case of illness ;

(b) that the work is only performed between the hours of 6 and 8 a.m. and 6 and 6.30 p.m. during the period from 1st March till 1st November, and between the hours of 6 and 8 a.m. during the period from 1st November till 1st March ;

(c) that, on the same day, no work referred to in following Section shall be performed by such woman.

2. The prohibition contained in §8, first paragraph, of the Labour Act of 1911 (Staatsblad No. 319), shall not apply to the work prescribed herein performed by a woman in a cheese factory, viz. :—

(1) stirring and drawing through of milk in the cheese trough ;

(2) putting in the frames and turning cheese in these ;

(3) wrapping in cloth and rounding of cheese ;

(4) washing of the cloths ;

(5) cleaning of articles used in the work referred to in this Section on the day on which this work has been performed.

The prohibition before mentioned, in regard to the performance of work referred to by a woman, shall not apply on the following conditions, viz. :

(a) that the work is part of the labour which is performed regularly, if not daily, by such woman for the undertaking, provided that she may be substituted by another woman in case of illness ;

(b) that the work is only performed between the hours of 6 and 11.30 a.m. and 1 and 2.30 p.m. ;

(c) that on the same day no work referred to in the preceding Section shall be performed by such woman.

3. In this Decree shall be understood by :—

“ Woman ” : a female person of 17 years of age or over, as also a female person who at the time when this Decree shall come into force shall have reached the age of 16 years.

Our Minister of Agriculture, Industry and Commerce shall be responsible for the execution of this Decree, which shall be published in the Government “ Gazette ” (Staatsblad), and a copy of which shall be sent in to the State Council (Raad van State).

18. *Besluit van den 6den December 1911, tot vaststelling van een algemeenen maatregel van bestuur, als bedoeld bij artikel 13, 9de lid, der Arbeidswet 1911* (Staatsblad No. 319). (Staatsblad No. 356.)

**Decree of 6th December, 1911, issuing a general administrative regulation, as referred to in §13, ninth paragraph, of the Labour Act of 1911.\***

1. Each of the following trades and professions shall be granted the exemptions named in each case from the provisions in the second paragraph of §13 of the Labour Act of 1911 (Staatsblad No. 319), on the conditions stipulated in each case.

*I.—Earthen Pipes, Pans, and Pots and Tile Works.*

(Trades carried on therein.)

Exemption shall be granted from the obligation of entering on the labour list the hours of commencement and completion of the daily hours of work,

\* Text E.B. VII., p. 47, No. 12.

as also the hours of intervals for rest, in regard to men in charge of the stoking of kilns, on condition that the total working hours per week shall be stated thereon.

## II.—*Anchovy-Salting Works.*

(Trades carried on therein.)

Exemption shall be granted from the obligation—

(a) of entering on the labour list the hours of commencement and of termination of the daily period of work, as also of the intervals for rest, in regard to men, on the condition that the total working hours per week shall be stated thereon ;

(b) of entering on the labour list the hours of commencement and of termination of the intervals for rest occurring between the hours of commencement and termination of the daily period of work in regard to young persons and women, on condition that the total time of such intervals shall be stated thereon.

## III.—*Bakeries in which Pastry, Rusks, Bread and Cakes are Manufactured.*

(Trades carried on therein.)

Exemption shall be granted from the obligation of entering on the labour list the hour of the termination of the daily period of work, as also the hours of commencement and of termination of the intervals for rest occurring between the hours of commencement and of termination of the daily period of work, in regard to men, on the condition that the total working hours per week shall be stated thereon.

## IV.—*Bone Black Factories, Burning Works, Distilleries, Gelatine Factories, Motor Car, Bicycle and Flying Machine Repairing Works, Artificial Manure Factories, Glue Factories, Liquor Distilling Works, Power Textile Printing Works, Textile Preparing Works, Textile Bleach Works, Textile Dyeing Works, Starch Factories, Vermicelli Factories (Trades carried on therein), and Osier Peeling.*

Exemption shall be granted from the obligation of entering on the labour list the hours of commencement and of termination of the intervals for rest occurring between the hours of commencement and of termination of the daily period of work, in regard to men, on the condition that the total time of such intervals shall be stated thereon.

## V.—*Factories for the Manufacture of Beetroot-sugar, Butter and Preserves, for the Manufacture of Condensed Milk, Gas Works, Grain Cleaning Works, Establishments for the Repairing of Ships and Machinery, Establishments for the preliminary treatment of Fresh Fish, Fish-smoking, Drying and Curing Works (with the exception of Anchovy-Salting Works), Factories for the Manufacture of Cheese, Margarine, Dairies, Mineral Water Factories, Maltings, Abattoirs, Slaughterhouses, Factories for the Manufacture of Meat Preserves, Ice Factories, Salmon Fisheries and Salteries.*

(Trades carried on therein.)

Exemption shall be granted from the obligation of entering on the labour list the hours of commencement and of termination of the daily period of work, as also the intervals for rest falling between these hours, in regard to men, on the condition that the total working hours per week shall be stated thereon.



### *VI.—Breweries.*

(Trades carried on therein.)

Exemption shall be granted from the obligation of entering on the labour list the hour of termination of the daily period of work, as also the hours of commencement and of termination of the intervals for rest occurring between the hours of commencement and of termination of the daily period of work, in respect of men employed on the actual brewing and the delivering of beer, on the condition that the total working hours per week shall be stated thereon.

### *VII.—Plaice Fishing.*

Exemption shall be granted from the obligation of entering on the labour list the hours of commencement and of termination of the daily period of work, as also the hours of the intervals for rest occurring between those hours in regard to men, young persons, and women whose work consists of cleaning, knitting and baiting hooked fishing nets, on the condition that the total working hours per week shall be stated thereon.

### *VIII.—Oak Bark Peeling.*

Exemption shall be granted from the obligation—

(a) of entering on the labour list the hours of commencement and of termination of the daily period of work, as also of the intervals for rest occurring between those hours, in regard to men ;

(b) of entering on the labour list the hours of commencement and of termination of their intervals for rest occurring between the hours of commencement and of termination of the daily period of work, in regard to young persons and women, on the condition that the total time of such intervals shall be stated thereon.

### *IX.—Establishments exclusively driven by Wind or Water Power.*

(Trades carried on therein.)

Exemption shall be granted from the obligation—

(a) of entering on the labour list the hour of commencement and of termination of the daily period of work, as also of the intervals for rest occurring between those hours, in regard to men, on the condition that the total working hours per week shall be stated thereon ;

(b) of entering on the labour list the hours of commencement and of termination of the intervals for rest occurring between the hours of commencement and of termination of the daily period of work, in regard to young persons and women.

### *X.—Brickfields.*

(Trades carried on therein.)

Exemption shall be granted from the obligation—

(a) of entering on the labour list the hours of commencement and of termination of the daily period of work, as also of the intervals for rest occurring between those hours, in regard to men employed in stoking the kilns or on other work performed in the open air, on the condition that the total working hours per week shall be stated thereon ;

(b) of entering on the labour list the hours of commencement and of termination of the intervals for rest occurring between the hours of commencement and of termination of the daily period of work, in regard to young persons and women whose work, in accordance with remarks written opposite

their names in the works register, consists of standing on the edges and the carrying of unbaked bricks from the places where these are made to the kilns.

**XI.—Peat Works.**

(Trades carried on therein.)

Exemption shall be granted from the obligation of entering on the labour list the hours of commencement and of termination of the daily period of work, as also of the intervals for rest occurring between those hours, in regard to men, young persons and women, on the condition that the total working hours per week shall be stated thereon.

**XII.—Iron Foundries.**

(Trades carried on therein.)

Exemption shall be granted from the obligation of entering on the labour list the hour of termination of the daily period of work, in regard to men, on the condition that the total working hours per week shall be stated thereon.

2. In this Decree shall be understood by :—

“Men” : male persons of 17 years or upwards, as also male persons who are 16 years of age at the time when this Decree shall come into force.

“Women” : female persons of 17 years or upwards, as also female persons who are 16 years of age at the time when this Decree shall come into force.

“Young persons” : persons under the age of 17 years, with the exception of those who are 16 years of age at the time when this Decree shall come into force.

Our Minister of Agriculture, Industry and Commerce shall be responsible for the execution of this Decree, which shall be published in the Government “Gazette” (Staatsblad), and a copy of which shall be sent in to the State Council (Raad van State).

19. *Besluit van den 6den December 1911, tot vaststelling van een algemeenen maatregel van bestuur, als bedoeld bij artikel 21 der Arbeidswet 1911* (Staatsblad No. 319). (Staatsblad No. 357.)

**Decree of 6th December, 1911, issuing general administrative regulations, as referred to in §21 of the Labour Act of 1911.\***

1. The obligation of a medical practitioner to report cases of diseases, as contemplated in §21 of the Labour Act of 1911 (Staatsblad No. 319), shall apply to the diseases enumerated in Column I. of the appended List, provided that :—

Cases of diseases named under (B) need only be reported when the patient is employed or has been employed in any of the occupations enumerated in the second column against each particular disease, within the period of time mentioned in the third column against each particular disease, before which time such patient came under treatment of the medical practitioner.

COLUMN I.	COLUMN II.	COLUMN III.
Aniline-poisoning Ankylostomiasis Anthrax (splenic inflammation) Arsenic-hydrogenous poisoning Benzine or benzol poisoning	<i>A</i>	

\* Text E.B. VII., p. 47, No. 12.

COLUMN I.	COLUMN II.	COLUMN III.
Caisson disease Chromic-poisoning Cyanide-poisoning Carbonic-oxide poisoning Lead-poisoning Malleus (kwade droes) nitro- and dinitro-benzol poisoning Poisoning by nitrous fumes Carbon disulphide poisoning Sulphuretted hydrogen poison- ing		
Arsenic-poisoning, excluding arsenic-hydrates poisoning	<p style="text-align: center;"><i>B</i></p> (1) Chemical works and labori- tories (2) Wall paper and calico factories (3) Wax and oilcloth factories (4) Glass factories (5) Shot foundries (6) Textile dye works, print works, and weaving sheds (7) Tanneries (8) Artificial flower factories and places where these are ar- ranged and made-up (9) Factories and repairing estab- lishments for ladies' hats (10) Stucco works (11) Establishments for the stuff- ing of animals (12) Sheep-dipping establishments	60 days
Cancer on the skin and cancer abscesses	(1) Textile weaving works (2) Mining industry (3) Masons' establishments (4) Establishments for refining, distilling, or treatment of petroleum or substances pro- duced from non-distilled pe- troleum or coal-tar (5) Establishments for the treat- ment and the manufacture of asphalt or asphalt products	5 years
Mercury-poisoning	(1) Chemical works and labora- tories (2) Factories for the manufacture of explosives (3) Medicines and dressing ma- terials factories (4) Textile print works (5) Establishments for the manu- facturing and repairing of instruments (6) Incandescent lamp factories (7) Establishments for the manu- facturing and treatment of hair and fur articles (8) Establishments for hot gilding and silvering (9) Factories for the manufacture of paint for ships' bottoms (10) Photographic establishments	5 years

COLUMN I.	COLUMN II.	COLUMN III.
Affection of the lungs	(11) Wood impregnating works (12) Mirror factories (1) Chemical works (2) Glass works (3) Stonemasons' trades (4) Grinding works for metals, glass, or other hard materials (5) Soap powder factories (6) Foundries (7) Glass sand-blasting works (8) Lime-slacking works (9) Wood sawmills, hornbone and stone-nut (steen-not) sawing and turning mills (10) moss-litter factories (11) Briquette factories (12) Corn-cleaning and thrashing establishments (13) Spinning mills (14) Mills (15) Establishments for the treatment of flax (16) Crockery (and pottery) factories (17) Industries in which clinker (slakkenmeel) is used	3 years
	Mining industry	
	(1) Mining industry	
	(2) Mason's industry	
	Mining industry	
	(1) Mining industry	
	(2) Peat fuel industry	
	(3) Brick yards	
	(4) Herring-skewing (spitting) establishments	
	(5) Establishments for treatment of flax	
	(6) Incandescent lamp works	
	(7) Boiler factories	
	(8) Iron-ship building yards	
	(1) Mining industry	
	(2) Peat fuel industry	
	(3) Brick yards	
Inflammation of the wrist	(4) Herring-skewing establishments	14 days
	(5) Blacksmith's works	14 days
Inflammation of the skin and under skin cell tissues, of the sheaths of the hand sinews, and of the muscle sheaths and muscle tissues of the fore-arm	(6) Engraving works	14 days
	(7) Glass-works	14 days
Inflammation and ulcerating of the skin and ulcerating of the pituitary (membrane) of nose and mouth	(1) Soap-powder factories	14 days
	(2) Photographic works	
	(3) Sugar factories and refineries	
	(4) Sugar works	
	(5) Masons' trade	
	(6) Stucco works	
	(7) Concrete industry	
	(8) Crockery factories	
	(9) Textile dyeing and printing works	
	(10) Tanneries	
	(11) Industries for the treatment of flax	7 days

COLUMN I.	COLUMN I.	COLUMN III.
	(12) Lime-slacking works (13) Lime-sifting works (14) Industries for the refining, distilling, or the treatment of petroleum or products of non-distilled petroleum or coal-tar (15) Industries for the manufacturing and treatment of asphalt and asphalt product trades (16) Snail powder factories (17) Quinine factories (18) Brush factories (19) Metal grinding works (20) Salt pans (21) Wax-bleaching works (22) Enamelling works (23) Hardware factories (24) Industries for the treatment of cement	
Inflammation of the shoulder-joint	Industries for the treatment of flax	14 days
Inflammation of the knee-joint	(1) Industries for the treatment of flax (2) Printing works (3) Shipbuilding yards	14 days
Phosphorus-poisoning	Chemical works and laboratories	5 years
Cataract	(1) Glass works (2) Blacksmith works	10 year
Tetanus (lock-jaw)	(1) Agriculture (2) Gardening (3) Field labour (4) Paper factories (5) Bone-black factories (6) Industries for the treatment of rags	4 weeks
Ulcerating of the cornea (sclerotic coat) and of the retina of the eye	(1) Textile dyeing works (2) Mining industry (3) Mason's trade (4) Industries for the refining, distilling, or the treatment of petroleum or of products of non-distilled petroleum and coal-tar (5) Industries for treatment of asphalt or products of asphalt (6) Photo printing (blue prints) works (7) Enamelling works (8) Trades in which autogenous welding is used (9) Incandescent lamp works (10) Industries for the manufacture or treatment of incandescent gas mantles	6 days

2. In cases in which §50 of Our Decree of 26th January, 1907 (Staatsblad No. 20) applies, a medical practitioner shall be considered as having fulfilled his obligations in regard to reporting referred to in §1, after forwarding the notes referred to in that Section.

3. The reporting of any case of a disease shall be done within eight days of the diagnosing of the case by the medical practitioner, and shall be done by forwarding a notice the form of which shall be drawn up by Our Minister in charge of the execution of this Decree.

4. With the exception of the cases to which §50 of Our Decree of 26th January, 1907 (Staatsblad No. 20) applies, a medical practitioner shall receive a remuneration of elevenpence (fl.O. 55) out of the Treasury if such medical practitioner reports a case of a disease in pursuance of §1.

Our Minister of Agriculture, Industry and Commerce shall be in charge of the enforcement of this Decree, which shall be published in the Staatsblad, and of which a copy shall be forwarded to the Council of State (Raad van State).

## VII. Switzerland

### CANTON OF BASLE (TOWN).

*Gesetz betreffend das ständige staatliche Einigungsamt.* (Vom 9. November, 1911.)

**Act relating to the permanent official Board of Arbitration.** (Dated 9th November, 1911.)

#### 1.—General Regulations.

1. A permanent official Board of Arbitration shall be established for the settlement of collective disputes between the proprietors of private manufacturing, mercantile, industrial and agricultural concerns domiciled within the Canton or, although not domiciled within the said Canton, employing workmen within the latter, and their workmen employed in the said district.

Whenever the term "worker" is used in this Act workmen and employees of every description are understood.

The Board of Arbitration shall be subject to supervision on the part of the State Council.

2. All proceedings before the Board of Arbitration shall be free of charge. All expenses incurred by the Board of Arbitration in pursuance of its functions, including the indemnifications payable to members, assessors, and to the secretary of the Board of Arbitration, as well as to witnesses and experts, shall be paid out of the public Exchequer. All further particulars in regard to the working of the Act shall be published by the State Council in an executive Decree.

Clerical and other assistance, as well as the requisite offices, shall be placed at the disposal of the Board of Arbitration by the State Council. It shall decide in regard to the preservation of documents and records.

3. By collective disputes within the meaning of this Act are understood disputes referring to working conditions, provided that at least 10 workers and one or more proprietors are concerned in the matter under dispute.

Should less than 10, but not less than three, participate, the Board of Arbitration shall only be competent if it is appealed to by one of the parties, or the State Council directs the institution of proceedings in the public interest.

The Board of Arbitration, in its controlling capacity, shall finally decide in doubtful cases as to whether or not the facts of the case are such as to constitute it one of collective dispute.

When a collective dispute comes within the jurisdiction of the civil law, the Board of Arbitration may refuse to investigate it, when the case should be referred to the civil law authorities. Should, however, both parties appeal to the Board of Arbitration, or agree to the case being investigated by the latter, the Board shall be bound to investigate it. In this event the compromise arrived at by the Board of Arbitration, or a negative decision, as the case may be, shall be legally binding on both parties.

As to the rest, the cognisance of the ordinary courts of law and of the industrial courts of arbitration remain unimpaired.

4. The duties of the Board of Arbitration shall be as follows :—

(a) to elucidate the facts of the case in collective disputes, to try wherever possible to bring about an agreement between the parties, and in the event of a failure to give a decision as regards the matter under dispute ;

(b) to aim at a temporary settlement as regards the collective dispute between the business proprietors and the workers ;

(c) to ensure that the agreement made before the Board of Arbitration and the judgments delivered are observed ;

(d) to submit, if necessary, to the State Council proposals with reference to occurrences, facts, and judicial questions which fall within the province of the Board of Arbitration, to suggest the alteration of existing or the issue of new Decrees, and, further, to give information or an opinion, if requested by the State Council, or the Cantonal courts ;

(e) to collect and preserve collective agreements of all kinds relating to the working conditions between proprietors and employees ;

(f) to submit a yearly report to the State Council with reference to business done.

5. Provided permission has been obtained from the State Council, private boards of arbitration, conciliation boards or other similar organs may take the place of the public Board of Arbitration, if thereby a quick settlement of collective disputes between unions of proprietors and employees has been made possible, either by conciliation or, if necessary, by arbitration, and if they have been bindingly agreed upon by proprietors and employees, and confer equal rights upon both parties ; and further, if the agreement binds the participants in a collective dispute to appeal to those organs.

For this purpose the unions shall address a petition to the State Council enclosing at the same time a copy of the conditions of the agreement. The State Council shall be bound to grant the permission, provided the above-mentioned conditions have been fulfilled. Should the conditions of agreement upon which the petition has been based, be altered, or altogether replaced by new conditions, the unions shall be bound to renew their petition.

If the reasons for the permission no longer exist, the latter shall become invalid.

Collective disputes which have taken place prior to the granting of the permission shall be dealt with by the public Board of Arbitration.

Proceedings before the public Board of Arbitration may be stopped in any phase, should both sides arrive at an agreement or settle the dispute by private treaty. In this case they shall be bound at once to inform the President of the Board of Arbitration of this fact in writing.

6. Should the reasons referred to in §5 be non-existing, each party shall be bound to inform the President of the Board of Arbitration, in writing, of the existence of a collective dispute, and

(a) as a rule, within 10 days after the collective dispute has taken place, if, in the interim, it has been found impossible to arrive at an agreement, or

(b) if private negotiations for a settlement have been finally broken off, or a strike or stoppage or boycott has been declared by the employees in one or more industries, or if a lock-out has been declared by one or more proprietors, the information shall be forwarded to the President of the Board of Arbitration immediately after one of the above-mentioned facts has taken place.

7. The duty of notification shall rest, in the case of unions, with the governing body, in other cases with the person entrusted by the parties with the conduct of their affairs, or, should no particular person have been thus authorised, with each individual member. Each member of a governing body, or each authorised person, or each individual member shall be held personally responsible for the fulfilment of this duty.

As soon as a notification has been lodged, or if the Board of Arbitration has taken official action prior to the expiration of the term of notification, the duty of notification shall become void.

8. The State Council shall be empowered, for reasons of public policy, spontaneously to cause either the Board of Arbitration or Conciliation Board to take official action, even in cases where the number of participating employees is less than 10, or where the private conciliation or arbitration proceedings provided for in §5 have not yielded any result.

The President of the Board of Arbitration shall commence official conciliation proceedings, if no notification has been lodged within the term provided for in §6, as soon as he has received notification of the existence of the collective dispute.

The President shall also be justified and, if requested by one side or by the State Council, shall be bound to commence or recommence public conciliation or arbitration proceedings, if the official or private conciliation or arbitration proceedings have broken down, leaving the collective dispute unsettled.

9. Collective agreements of any kind, relating to working conditions between employers and employees, as well as alterations of and additions to such agreements, although they may be the result of private negotiations, or may have been made before private conciliation or arbitration boards, or similar bodies, shall be deposited by the parties at the archives of the public Board of Arbitration, either the original documents or certified copies of same.

## *II.—Organisation of the Board of Arbitration.*

10. The Board of Arbitration, as a mediating and as a controlling medium, shall consist of three permanent members or their deputies.

The State Council shall appoint three permanent members and nine permanent deputies, for a period of office of three years, from amongst persons who have a right to vote in matters concerning the Canton, but are neither proprietors nor employees.

In exceptional circumstances the State Council may elect for the position of permanent members and deputies such persons who are not Swiss subjects, provided they are specially suitable for the position, personally capable, entitled to all their civil rights and honours, and have been domiciled in the Canton for at least six months.

The President shall be appointed by the State Council from amongst the permanent members, as also the first and second Deputy-Presidents, for the same period of office.



Positions which may become vacant in the interim shall be immediately filled for the rest of the period of office.

If necessary, however, the State Council may temporarily appoint extraordinary deputies and deputy-presidents.

From amongst those who enjoy the franchise in the Canton, and who are neither proprietors nor employees, the State Council shall appoint the permanent secretary to the Board of Arbitration and his permanent deputy. If necessary, they may also temporarily appoint an extraordinary deputy secretary.

11. For carrying out arbitration proceedings, the Board of Conciliation shall consist of the controlling department and of at least four, but not more than 10, expert assessors (the Board of Conciliation as a Board of Arbitration proper). Apart from these, two to six deputy assessors shall be appointed.

The President of the Board of Conciliation shall in each case, according to the nature of the dispute, appoint an equal number of assessors and deputies for each party.

The assessors and their deputies shall be appointed by the parties, but in cases provided for in §23, paragraph (4), by the Board of Conciliation as controlling medium.

Any person, male or female, shall be eligible for the positions of assessors and their deputies, provided they are personally capable, entitled to all civil rights and honours, and fulfil the following conditions:—

(a) they shall have been domiciled in the Canton for at least six months;

(b) they shall be present or past members of the trade or industry involved in the dispute, or of an allied industry, either in the capacity of proprietor or employee, or shall be competent experts in some other way;

(c) they shall not be directly interested in the dispute.

12. If, on account of the magnitude of a collective dispute, or for any other reason, it is found impossible to constitute the Board of Conciliation as Board of Arbitration with a sufficient number of expert assessors and deputies who are not directly interested in the dispute, the Board of Conciliation shall be composed of seven or nine arbitrators, who shall be taken exclusively from amongst the permanent members and their deputies (the Board of Conciliation as extraordinary Board of Arbitration).

13. The members of the State Council shall not be eligible for the Board of Conciliation, either as permanent members or as their deputies, nor as assessors or their deputies.

The holding of office on the Board shall be compulsory for all eligible persons. An appointment on the Conciliation Board may, however, be refused if the person elected has passed his sixtieth year, on account of illness or other valid reasons.

Furthermore, an appointment may be refused by—

(a) a permanent member or deputy who has been attached to the Board of Conciliation in one of these capacities for at least one period of office;

(b) an assessor or deputy who has exercised the functions of his office in at least one dispute during the course of the year.

The decision of the State Council with reference to the validity of reasons for exemption shall be final, as far as permanent members and their deputies are concerned, whilst such decisions with reference to assessors and their deputies shall be given by the Board of Conciliation as the controlling medium.

### *III.—Proceedings and Mode of Procedure.*

14. For the purpose of commencing proceedings before the Board of Conciliation, each of the parties shall submit to the President of the Board of Conciliation a statement of their claims or offers in writing, and nominate their representatives, who must not exceed five in number. This condition must be fulfilled—

(a) in cases provided for in §3, paragraph (1), simultaneously with the notification of the existence of the dispute as per §6, or immediately after the party has received an intimation to that effect from the President ;

(b) in cases provided for in §3, paragraph (2) simultaneously with the formation of the Board of Arbitration and, as regards the party which has not made the application, immediately after receiving an intimation to that effect from the President ;

(c) in all other cases immediately after receiving an intimation to that effect from the President. If the Board of Arbitration does not consider the foregoing conditions to be fulfilled, or sufficiently fulfilled, it shall be entitled to call a meeting of the members of one party through members or directly, for the purpose of ascertaining their claims or proposals or for the purpose of nominating their representatives.

15. Any male or female persons who are personally capable of acting, and either directly interested in the dispute or occupying a leading position in one of the unions participating in the dispute, shall be admissible on either side as representatives of parties. They shall be domiciled in Switzerland. All objections raised shall be finally decided upon by the Board of Conciliation acting as controlling medium.

The proprietors may appoint as their party representatives, foremen, holders of power of attorney, or other authorised or superior employees of their establishment, or may be represented by them.

Each party shall pay its own costs incurred in connection with representation.

The duty of nominating the party representative shall, in the case of the participation of unions, rest with the governing body, in other cases with the person entrusted with the conduct of the case, and, should no such representatives have been appointed, with each individual member.

Each member of a governing body or each representative shall be held personally responsible for the fulfilment of this duty. All decisions by the Board of Arbitration as controlling medium with reference to objections relating to the nomination of party representatives shall be considered final.

16. The party representatives shall be bound to attend all proceedings before the Board of Arbitration to which they have been summoned.

The party must immediately furnish another representative in place of any representative who is unable to attend. Should this not be done, and if each party is represented by at least one representative, the proceedings shall be continued nevertheless, subject to the provisions of §24, paragraph (2).

17. The President of the Board of Arbitration shall be bound to summon the party representatives, as soon as they have been properly nominated, to a conciliation meeting within a short time.

Should this meeting not lead to any settlement, the Board of Arbitration shall, immediately after hearing the parties, settle the general plan of further proceedings.

18. The Board of Arbitration shall, in the first instance, investigate, as carefully as possible, the causes of the dispute and the detailed circumstances

connected therewith, and shall determine what are the individual questions at issue. For this purpose the Board of Arbitration shall be entitled, in every phase of the conciliation and arbitration proceedings, to hear witnesses, to take their evidence on commission, to obtain the opinion of experts, verbally or in writing, and to undertake personal inspections.

Furthermore, the Board of Arbitration shall be entitled to demand from the parties the production of agreements and correspondence relating to working conditions, and of wages accounts, registers of fines, registers of working hours and the register of members of unions involved in the dispute, or of certified extracts from the aforesaid documents.

The parties shall be entitled to demand that the right of examining documents produced by them be limited to the permanent members as controlling medium of the Board of Arbitration.

19. Apart from masters and employees, other persons, provided they are domiciled in the Canton, shall be bound to give their service as witnesses or experts if called upon by the Board of Arbitration to do so (§18, paragraph 2). They may only be released from this obligation by the Board of Arbitration upon furnishing valid reasons.

Objections lodged by the parties against witnesses and experts shall be subject to the consideration of the Board of Arbitration.

20. Should any party refuse to provide for the inspection of the Board of Arbitration, a document in their possession or a certified copy of the same (§18, paragraph 3), they must prove to the Board of Arbitration that the statements made by the other side relating to contents of the documents in question are false. Should they not do so, the Board of Arbitration may assume, according to circumstances, that the statements made by the other side with reference to the contents of the document in question are true.

21. Should it be found impossible to carry through the conciliation proceedings on account of the insufficient appointment of party representatives, the attempt to arrive at a settlement shall be considered as having failed.

Should the conciliation proceedings be carried through, the Board of Arbitration shall, on the termination of the said proceedings, submit to the parties a proposal of agreement, if the party representatives, authorised by their parties, have not previously arrived at a settlement. The party representatives shall then signify whether they accept or refuse the proposal unconditionally on behalf of their party, or subject to confirmation by their party.

Should the party representatives, authorised by their parties, have arrived at an agreement, or should they accept the compromise unconditionally, having been so authorised by their parties, the compromise shall be considered binding.

Should one of the parties, or both, decline to accept the compromise, the attempt to arrive at a settlement shall be considered to have failed.

The Board of Arbitration shall be bound to publish immediately the fact of a settlement having been arrived at, together with the details thereof, or, on the other hand, the failure to arrive at a compromise, stating at the same time the essential reasons for such failure.

22. Should it have been found impossible to arrive at a settlement, the President of the Board of Arbitration shall ask the party representatives, fixing at the same time a short time limit, whether they are willing to submit unconditionally to arbitration on behalf of their party.

Should one or both of the parties give an answer in the affirmative, arbitration proceedings shall be commenced without delay. Such arbitration proceedings shall be commenced even if both parties decline, should the State Council consider it desirable in the interests of the public.

23. As soon as the preliminaries of the arbitration proceedings have been satisfied, the President of the Board of Arbitration shall request the parties to nominate, within a short period, the assessors and their deputies (§11). The decisions of the Board of Arbitration regarding their admission shall be considered final.

The obligation of nominating the assessors and their deputies shall rest with the participants referred to in §15, paragraph 4.

Should any objections be raised to the nomination of assessors, the Board of Arbitration shall be entitled to summon a meeting of the participants of one party for the purpose of electing the assessors, or to cause such a meeting to be summoned by participants.

Should the election of assessors by the parties not take place, or should an insufficient number be elected, the Board of Arbitration, as controlling medium, shall appoint as many assessors and deputies as may be required.

Should the nomination of expert assessors and deputies prove impossible, the Board of Conciliation shall determine, within a short period, the composition of the Board of Arbitration in accordance with §12.

24. As soon as the constitution of the Board of Arbitration is completed, the President shall, within a short period, summon the party representatives to attend the arbitration proceedings.

The arbitration proceedings must be conducted even though none of the party representatives, or some of them only, put in an appearance.

25. Should it be found impossible to conduct the arbitration proceedings to a close, for the reason that both parties decline to go on with them, and further, should the State Council not see any reason for commencing proceedings in the public interest, the Board of Arbitration shall immediately publish such fact, together with all the essential reasons.

Should the arbitration proceedings be carried out, the Board of Arbitration shall, upon the termination of the proceedings, pronounce the terms of the arbitration award, communicate them immediately to the party representatives for the purpose of drawing them up in writing, placing them at the disposal of the parties and publishing them.

Should both parties have previously submitted to arbitration the award shall be legally binding.

Should only one of the parties have submitted to arbitration, the Board of Arbitration shall grant the other side a short time within which they shall have to give their declaration in regard to unconditional acceptance or refusal of the arbitration award.

Should this declaration intimate an acceptance of the award, the latter shall be legally binding.

Should it be refused, the arbitration proceedings must be considered as having failed.

The legalising of the arbitration award or the failure of the arbitration proceedings, together with all the essential reasons, shall be immediately published by the Board of Arbitration.

26. Should the two parties not have previously submitted to arbitration, the members of the Board of Arbitration shall be entitled to, and should one party desire it or at the refusal of the State Council, shall be bound to try and persuade the parties to submit to arbitration.

27. In the event of infringements of an agreement made before the public Board of Arbitration, or of an arbitration award pronounced by the latter, the Board of Arbitration shall be entitled, and at the request of one party or of the State Council, shall be bound to record and publish the facts of the case after hearing both parties. Particulars relating thereto shall be prescribed by the State Council in the administrative Order.

These provisions shall be without prejudice to the civil claims of the parties.

28. The public shall, as a rule, be excluded from proceedings before the Board of Arbitration.

But the Board of Arbitration may, if requested by both parties, or should important reasons prevail without such request, give complete or limited publicity to the proceedings.

Special discussions of the Board of Arbitration with the representatives of a party shall always be held *in camera*.

The members and assessors of the Board of Arbitration shall be bound to secrecy in regard to facts which have come to their knowledge during a discussion *in camera* if one of the parties should insist upon it.

29. The discussions and resolutions of the Board of Arbitration shall be held and passed secretly, and with the exclusion of the party representatives.

The President, the other members, and the assessors of the Board of Arbitration shall be bound to vote. Resolutions shall be passed by an absolute majority.

In the event of an equal division of votes, the President of the Board of Arbitration shall have the casting vote.

The President of the Board of Arbitration shall be entitled, either on his own account or at the proposal of one of the parties, to impose secrecy upon the members and the secretary of the Board of Arbitration in reference to matters which are not suitable for publication.

30. Members of the same family, blood-relations, or relatives in the direct line shall not act as members, assessors, or secretary of the Board of Arbitration in one and the same dispute.

31. The whole of the proceedings shall be carried out with the least possible delay.

The conciliation proceedings shall terminate within fourteen days, dating from the day on which the party representatives were first requested to attend the conciliation proceedings until the day on which the parties finally declare themselves with reference to the compromise proposals, whilst the arbitration proceedings shall terminate within eight days from the day on which the party representatives were first requested to attend the arbitration proceedings until the day on which the parties finally declare themselves with reference to the arbitration.

Should important reasons demand, the Board of Arbitration may extend each of these periods by a maximum of six days. A further extension shall only be granted by permission of the State Council.

32. The announcements of the Board of Arbitration shall be inserted in the Canton "Gazette."

The Board of Arbitration shall also be entitled to utilise other publication media.

33. The parties may lodge with the State Council a complaint in writing against arrangements and dispositions by the Board of Arbitration by reason of illegal interference or illegal refusal of interference or by reason of other serious irregularities in the procedure. Such a complaint shall not cause delay

in the procedure. After hearing the Board of Arbitration, the State Council shall finally decide in regard to the complaint.

34. The Administrative Order shall contain all further particulars with reference to the proceedings and the procedure, especially the procuring of deputies of the permanent members and the deputies of the assessors, the terms, the summonses, the drawing up and signing of protocols, compromises and arbitration awards, and the publications.

#### *IV.—Penalties.*

35. The Board of Arbitration, as controlling medium, shall inflict penalties of from 3 to 20fr., and in repeated cases up to 50fr. upon persons, who, without furnishing valid excuses :

(a) fail to give the required notification of the existence of a collective dispute (§6);

(b) fail to deposit the necessary documents relating to collective agreements with reference to working conditions (§9);

(c) avoid their election as expert assessor or deputy of the Board of Arbitration (§13);

(d) fail in their duty to nominate the party representatives (§15);

(e) in their capacity as representative, fail to attend the proceedings before the Board of Arbitration (§16);

(f) fail to comply with the request of the Board of Arbitration to attend as witness or expert (§19);

(g) fail in their duty to nominate the assessors and their deputies of the Board of Arbitration (§23).

36. The State Council may inflict fines of from 20 to 50fr., or in repeated cases up to 200fr., upon persons who, without furnishing valid excuses, avoid election as permanent members or deputies of the Board of Arbitration (§13). The decision of the State Council shall be final.

37. The Board of Arbitration or the State Council or any authority empowered to inflict fines may, in aggravated or repeated cases of disobedience, secure a conviction of the offenders for disregarding official decrees.

38. The party thus fined may, in all cases provided for in §35, lodge an appeal with the State Council against the fines imposed by the Board of Arbitration on account of the want of legal validity.

The State Council shall, after hearing the evidence tendered by the Board of Arbitration, finally decide the question of the complaint.

#### *V.—Administrative and Final Regulations.*

39. The regulations necessary to the enforcement of this Statute shall be issued by the State Council in the form of an administrative Order.

40. This Statute shall repeal—

the Act, dated 20th May, 1897, with reference to the establishment of a Board of Arbitration ;

the Act, dated 6th January, 1900, with reference to the public Board of Arbitration.

41. The State Council shall determine the date from which this Act shall come into force. The Act shall be published. It is subject to referendum.



# Bulletin

OF THE

# INTERNATIONAL LABOUR OFFICE

[NOTE.—The German, French, and English editions of the *Bulletin* are referred to as G.B., F.B., and E.B. respectively.]

## National Labour Legislation

### 1. LAWS AND ORDERS

#### I. Germany

*Gesetz betreffend die Änderung der §§114a, 120, 120e, 134, 139b, 139h, 146, 146a, 147, 150, 154a der Gewerbeordnung (Nr. 4005). Vom 27 Dezember, 1911 (Reichs-Gesetzblatt, 1912, Nr. 3, S. 139).*

**Act concerning the modification of §§114a, 120, 120e, 134, 139b, 139h, 146, 146a, 147, 150, 154a of the Industrial Code (No. 4005). (Dated 27th December, 1911.)**

#### §1.

I. §114a of the Industrial Code shall be worded as follows :—

§114a. For certain trades the Federal Council may prescribe wages books or work tickets (*Arbeitszettel*), and issue the required administrative regulations. In the wages books or on the work tickets there shall be entered by the employer, or by an official authorised for the purpose, the following particulars :—

- (1) The date when the work is given out, the nature and extent of the work, and, in the case of piece-work, the amount ;
- (2) The rates of wages ;
- (3) The conditions for the supply of tools and materials for the work ;
- (4) The period of delivery as well as the nature and extent of work delivered ;
- (5) The amount of wages, indicating any deductions made ;
- (6) The date of payment of wages.

The Federal Council may stipulate that the conditions for granting board and lodging shall be entered in the wages book, or on the work tickets, in so far as board and lodging shall be considered in lieu of wages or part wages.



There shall also be admissible such entries as have reference to the name, the firm, and the place of domicile of the employer, the name and domicile of the worker, the nature of the work, and the wages agreed or paid for the same.

With respect to the entries, §111 (paragraphs 3 and 4) and §113 (paragraph 3) shall apply.

II. After §114a of the Industrial Code there shall be inserted the following :—

114b. The wages book or the work ticket shall be provided by the employer at his own expense and be handed, free of charge, to the worker, immediately after the prescribed entries have been completed. The entries shall be signed by the employer or by a works official authorised for the purpose. The Federal Council may determine that the wages books shall remain at the works, should the employer show that the safeguarding of manufacturing secrets necessitates this. The workers concerned shall be given an opportunity of expressing their view before this Order is issued.

Unless otherwise stipulated by the Federal Council, the entries shall be made and signed in ink, in the case of §114a, paragraph 1, Nos. 1 to 3, before or at the time of giving out the work, in the case of §114a, paragraph 1, No. 4, at the time of taking over the work, and in the case of §114a, paragraph 1, No. 5 and 6, at the time of paying the wages.

§§115 to 119a (paragraph 1), and §119b shall be printed in the wages book.

114c. In so far as the Federal Council does not issue stipulations in pursuance of §114a, paragraphs 1 and 2, provisions may be issued by the Central Authority of the State, or, after having heard the industrial employers and the workers concerned, by the competent Police Authority, by means of police regulations. In this case the Central Authority of the State or the competent Police Authority may also issue stipulations in pursuance of §114b, paragraph 2.

114d. The Federal Council and the Central Authority of the State may also issue the Orders for separate districts in pursuance of §§114a to 114c.

114e. §120g shall be applicable in connection with the Regulations issued by the Federal Council.

III. §120, paragraph 3, of the Industrial Code shall be amended in the following manner :—

(1) Paragraph 3, sentence 1, shall take the following form :

“The obligation to attend a continuation school, in so far as it has not been established by legislation, may be introduced by statutory regulations issued by the local authorities, or by a group of communes [Kommunalverband (§142)] for those workers indicated under paragraph 1.”

(2) After sentence 1 of paragraph 3 the following shall be inserted :

“This obligation shall also exist during a period of unemployment.”

(3) After paragraph 3, the following further paragraph shall be inserted :

“The obligation indicated in paragraph 2, sentence 1, may be introduced by a commune or group of communes by Order of the higher Administrative Authority, if no Regulations have been issued within the fixed time limit, regardless of an application addressed by the said Authority to the commune or group of communes on the request of

employers or workmen concerned. The measures contemplated in paragraph 3 shall, in this case, be established by the Higher Administrative Authority. Against the demands and regulations of the Higher Administrative Authority appeal shall lie to the Central Authority of the State.

"The hours of instruction shall be fixed, and notified by the authority appointed for the purpose, in accordance with the law of the State."

IV. §120e of the Industrial Code shall be amended as follows:—

(1) To paragraph 1 the following addition shall be made:

"In these Regulations, orders may also be inserted relating to the conduct of the worker in his occupation, for the protection of life and health. A written or printed copy of the Regulations shall be posted up in a position where it may be accessible and easily read by the workers."

(2) In paragraph 2, instead of the words "of the authorities empowered to issue the same," the following words shall be inserted: "Of the competent Police Authorities."

(3) Paragraphs 3 and 4 are repealed.

(4) After §120e there shall be added:

120f. For those industries in which, owing to excessive daily working hours, the health of the workers is imperilled, the Federal Council, or, in the absence of the Regulations of the Federal Council, the Central Authorities of the States, or, after hearing the manufacturers and workers concerned, the competent Police Authorities by police order, may issue regulations fixing the duration, the time of commencement and of termination of the permissible daily work, and of the intervals allowed, and may also issue the necessary regulations for the enforcement of such orders.

Where no such regulations are issued, the respective Police Authority, on application of, or after a consultation with, the Industrial Inspectors (§139b), and after hearing the manufacturers and workers concerned, may issue such official orders and regulations in regard to separate undertakings in which, owing to excessive working hours, the health of the workers is endangered. §120b, paragraph 4, shall correspondingly apply.

120g. The provisions of the Federal Council, in pursuance of §§120e and 120f, shall be published in the Government "Gazette" for notification, and shall be submitted to the Reichstag for cognizance thereof.

## §2.

I. §143, paragraph 2, of the Industrial Code shall be amended as follows:

In the regular payments of wages, a written voucher (receipt, tally, wage-book, and so forth) relating to the amount of the wages earned, showing the separate deductions made, shall be handed to the workers.

II. In §139b of the Industrial Code there shall be inserted:

(1) In paragraph 1, instead of the words "120a to 120e," the words "120a to 120f."

(2) In paragraph 4, instead of the words "120a to 120e," the words "120a to 120f."

III. In §139b, paragraph 1, of the Industrial Code, instead of "120e paragraph 4," the words "§120g" shall be inserted.

IV. In §154a of the Industrial Code, the words "Of §§115" shall be replaced by "Of §114, paragraph 1 (sentence 1) and paragraph 4, §114b, paragraph 1, of §§114c"; and after "§119a" there shall be inserted, "Of §134 (2), of §§."

### §3.

I. §146, paragraph 1, No. 2, of the Industrial Code shall be amended as follows :—

Manufacturers who infringe §§135 to 137, §137a, paragraph 1, §139c, or regulations issued in pursuance of §§120e, 120f, 139, 139a, in so far as they contain prohibitions of the employment of workers in regard to certain work, or regulate the working hours, night rest, or intervals.

II. In §146, paragraph 1, No. 3, of the Industrial Code, there shall be inserted, instead of the words "§114a, paragraph 3," the words "§114a, paragraph 4," and after the words "Of §111, paragraph 3," there shall be inserted the words "and of §113, paragraph 3."

III. In §146 of the Industrial Code, after paragraph 1, the following shall be inserted as paragraph 2 :

"Should the delinquent in the cases indicated in paragraph 1, No. 2, have already been twice convicted at the time of the committal of the offence, on account of one of the infringements punishable under the said provision, a penalty of from 100 to 300 marks, or imprisonment not exceeding six months shall be imposed, if the offence has been intentionally committed.

"This regulation shall not apply should three years have already elapsed since the last conviction."

IV. To §146a of the Industrial Code there shall be added, as paragraph 2 :

"Any person who, in contravention of §§105b to 105g, or of the regulations issued in pursuance of these Sections, shall employ workers on Sundays or holidays, or who shall contravene the statutory provisions, issued in pursuance of §105b, paragraph 2, after having been already twice convicted of infringing the said provisions, shall be punished, if the offence has been intentionally committed, by a fine of from 50 to 1,000 marks or with detention (Haft). §146, paragraph 2, sentence 2, shall apply according to the circumstances."

V. §147, paragraph 1, No. 4, of the Industrial Code shall be amended as follows :

"Any person who shall infringe the regulations finally issued in pursuance of §§120d, 137a (paragraph 3), 139g, or, with the exclusion of the cases indicated in §146 (paragraph 1, No. 2), §150a, or who shall infringe the regulations issued in pursuance of §§120e, 120f, 139, 139a, 139h."

VI. §150, paragraph 1, No. 2, of the Industrial Code shall be amended as follows :

"Any person who shall infringe in any other case than that provided for in §146, No. 3, the regulations of this Act in regard to workmen's books, wages-books, or work-tickets, or the regulations issued in pursuance of these provisions, or the provisions of §134, paragraph 2."

VII. After §150 of the Industrial Code, there shall be inserted as §150a :

"Any person who shall infringe the regulations issued in pursuance of §120e, paragraph 1, sentence 2, shall be liable to a penalty of 6 marks and, in default, to detention for one day for each case of infringement of the Act."

## §4.

In so far as reference is made in the regulations of the Federal Council to §120c, paragraph 3, of the Industrial Code, §120f of the Industrial Code shall apply in place thereof.

## §5.

This Act shall come into force on 1st April, 1912.

## II. Great Britain and Ireland

**An Act to provide a Minimum Wage in the case of workmen employed underground in Coal Mines (including mines of stratified ironstone), and for purposes incidental thereto. 29th March, 1912. (2 Geo. 5., Ch. 2.)**

1. (1) It shall be an implied term of every contract for the employment of a workman underground in a coal mine that the employer shall pay to that workman wages at not less than the minimum rate settled under this Act and applicable to that workman, unless it is certified in manner provided by the district rules that the workman is a person excluded under the district rules from the operation of this provision, or that the workman has forfeited the right to wages at the minimum rate by reason of his failure to comply with the conditions with respect to the regularity or efficiency of the work to be performed by workmen laid down by those rules; and any agreement for the payment of wages in so far as it is in contravention of this provision shall be void.

For the purposes of this Act, the expression "district rules" means rules made under the powers given by this Act by the joint district board.

(2) The district rules shall lay down conditions, as respects the district to which they apply, with respect to the exclusion from the right to wages at the minimum rate of aged workmen and infirm workmen (including workmen partially disabled by illness or accident), and shall lay down conditions with respect to the regularity and efficiency of the work to be performed by the workmen, and with respect to the time for which a workman is to be paid in the event of any interruption of work due to an emergency, and shall provide that a workman shall forfeit the right to wages at the minimum rate if he does not comply with conditions as to regularity and efficiency of work, except in cases where the failure to comply with the conditions is due to some cause over which he has no control.

The district rules shall also make provision with respect to the persons by whom and the mode in which any question, whether any workman in the district is a workman to whom the minimum rate of wages is applicable, or whether a workman has complied with the conditions laid down by the rules, or whether a workman who has not complied with the conditions laid down by the rules has forfeited his right to wages at the minimum rate, is to be decided, and for a certificate being given of any such decision for the purposes of this Section.

(3) The provisions of this Section as to payment of wages at a minimum rate shall operate as from the date of the passing of this Act, although a minimum rate of wages may not have been settled, and any sum which would have been payable under this Section to a workman on account of wages if a minimum rate had been settled may be recovered by the workman from his employer at any time after the rate is settled.

2. (1) Minimum rates of wages and district rules for the purposes of this Act shall be settled separately for each of the districts named in the Schedule to this Act by a body of persons recognised by the Board of Trade as the joint district board for that district.

Nothing in this Act shall prejudice the operation of any agreement entered into or custom existing before the passing of this Act for the payment of wages at a rate higher than the minimum rate settled under this Act, and in settling any minimum rate of wages the joint district board shall have regard to the average daily rate of wages paid to the workmen of the class for which the minimum rate is to be settled.

(2) The Board of Trade may recognise as a joint district board for any district any body of persons, whether existing at the time of the passing of this Act or constituted for the purposes of this Act, which in the opinion of the Board of Trade fairly and adequately represents the workmen in coal mines in the district and the employers of those workmen, and the chairman of which is an independent person appointed by agreement between the persons representing the workmen and employers respectively on the body or, in default of agreement, by the Board of Trade.

The Board of Trade may, as a condition of recognising as a joint district board for the purposes of this Act any body the rules of which do not provide for securing equality of voting power between the members representing workmen and the members representing employers and for giving the chairman a casting vote in case of difference between the two classes of members, require that body to adopt any such rule as the Board of Trade may approve for the purpose, and any rule so adopted shall be deemed to be a rule governing the procedure of the body for the purposes of this Act.

(3) The joint district board of a district shall settle general minimum rates of wages and general district rules for their district (in this Act referred to as general district minimum rates and general district rules), and the general district minimum rates and general district rules shall be the rates and rules applicable throughout the whole of the district to all coal mines in the district and to all workmen or classes of workmen employed underground in those mines, other than mines to which and workmen to whom a special minimum rate or special district rules settled under the provisions of this Act is or are applicable, or mines to which and workmen to whom the joint district board declare that the general district rates and general district rules shall not be applicable pending the decision of the question whether a special district rate or special district rules ought to be settled in their case.

(4) The joint district board of any district may, if it is shown to them that any general district minimum rate or general district rules are not applicable in the case of any group or class of coal mines within the district, owing to the special circumstances of the group or class of mines, settle a special minimum rate (either higher or lower than the general district rate) or special district rules (either more or less stringent than the general district rules) for that group or class of mines, and any such special rate or special rules shall be the rate or rules applicable to that group or class of mines instead of the general district minimum rate or general district rules.

(5) For the purpose of settling minimum rates of wages, the joint district board may subdivide their district into two parts, or, if the members of the joint district board representing the workmen and the members representing the employers agree, into more than two parts, and in that case each part of the district as so subdivided shall, for the purpose of the minimum rate, be treated as the district.

(6) For the purpose of settling district rules, any joint district boards may agree that their districts shall be treated as one district, and in that case those districts shall be treated for that purpose as one combined district, with a combined district committee appointed as may be agreed between the joint district boards concerned, and the chairman of such one of the districts forming the combination as may be agreed upon between the joint district boards concerned, or, in default of agreement, determined by the Board of Trade, shall be the chairman of the combined district committee.

3. (1) Any minimum rate of wages or district rules settled under this Act shall remain in force until varied in accordance with the provisions of this Act.

(2) The joint district board of a district shall have power to vary any minimum rate of wages or district rules for the time being in force in their district—

(a) at any time by agreement between the members of the joint district board representing the workmen and the members representing the employers ; and

(b) after one year has elapsed since the rate or rules were last settled or varied, on an application made (with three months' notice given after the expiration of the year) by any workmen or employers, which appears to the joint district board to represent any considerable body of opinion amongst either the workmen or the employers concerned ;

and the provisions of this Act as to the settlement of minimum rates of wages or district rules shall, so far as applicable, apply to the variation of any such rate or rules.

4. (1) If within two weeks after the passing of this Act a joint district board has not been recognised by the Board of Trade for any district, or if at any time after the passing of this Act any occasion arises for the exercise or performance in any district of any power or duty under this Act by the joint district board, and there is no joint district board for the district, the Board of Trade may, either forthwith or after such interval as may seem to them necessary or expedient, appoint such person as they think fit to act in the place of the joint district board, and, while that appointment continues, this Act shall be construed, so far as respects that district, as if the person so appointed were substituted for the joint district board.

The Board of Trade in any such case where it appears to them that the necessity for the exercise of their powers under this provision arises from the failure of the employers to appoint members to represent employers on a board when the workmen are willing to appoint members to represent workmen, or from the failure of the workmen to appoint members to represent workmen on a board when the employers are willing to appoint members to represent employers, may, if they think fit, instead of appointing a person to act in place of the joint district board, appoint such persons as they think fit to represent the employers or the workmen, as the case may be, who have failed to appoint members to represent them ; and in that case the members so appointed by the Board of Trade shall be deemed to be members of the board representing employers or workmen as the case requires.

(2) If the joint district board within three weeks after the time at which it has been recognised under this Act for any district fail to settle the first minimum rates of wages and district rules in that district, or if the joint district board, within three weeks after the expiration of a notice for an

application under this Act to vary any minimum rate of wages or district rules fail to deal with the application, the chairman of the joint district board shall settle the rates or rules or deal with the application, as the case may be, in place of the joint district board, and any minimum rate of wages or district rules settled by him shall have the same effect for the purposes of this Act as if they had been settled by the joint district board :

Provided that, if the members of the joint district board representing the workmen and the members representing the employers agree, or if the chairman of the joint district board directs, that a specified period longer than three weeks shall for the purposes of this Sub-section be substituted for three weeks, this Sub-section shall have effect as if that specified period were therein substituted for three weeks.

5. (1) In this Act—

The expression “ coal mine ” includes a mine of stratified ironstone ;

The expression “ workman ” means any person employed in a coal mine below ground other than—

(a) a person so employed occasionally or casually only ; or

(b) a person so employed solely in surveying or measuring ; or

(c) a person so employed as mechanic ; or

(d) the manager or any under-manager of the mine ; or

(e) any other official of the mine whose position in the mine is recognised by the joint district board as being a position different from that of a workman.

(2) If it is thought fit by any persons when appointing a chairman for the purposes of this Act, or by the Board of Trade when so appointing a chairman, the office of chairman may be committed to three persons ; and in that case those three persons acting by a majority shall be deemed to be the chairman for the purposes of this Act.

6. (1) This Act may be cited as the Coal Mines (Minimum Wage) Act, 1912.

(2) This Act shall continue in force for three years from the date of the passing thereof and no longer, unless Parliament shall otherwise determine.

#### SCHEDULE.

**DISTRICTS.**—Northumberland, Durham, Cumberland, Lancashire and Cheshire, South Yorkshire, West Yorkshire, Cleveland, Derbyshire (exclusive of South Derbyshire), South Derbyshire, Nottinghamshire, Leicestershire, Shropshire, North Staffordshire, South Stafford (exclusive of Cannock Chase) and East Worcestershire, Cannock Chase, Warwickshire, Forest of Dean, Bristol, Somerset, North Wales, South Wales (including Monmouth), The mainland of Scotland.

Where a mine, though situate in one of these districts, has for industrial purposes been customarily dealt with in the same manner as a mine situate in an adjoining district, that mine shall for the purposes of this Act be treated as situate in the latter district, if the joint district boards of the two districts so agree.

## IIa. British Colonies

### AUSTRALIA

#### (A) COMMONWEALTH.

#### 1. An Act to amend the Commonwealth Conciliation and Arbitration Act, 1904. (No. 28 of 1909.) (Assented to 13th December, 1909.)

1. (1) This Act may be cited as the Commonwealth Conciliation and Arbitration Act, 1909.

(2) The Commonwealth Conciliation and Arbitration Act, 1904, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Commonwealth Conciliation and Arbitration Act, 1904-1909.

2. Part II. of the Principal Act is amended by omitting §§9 and 10, and inserting in lieu thereof the following Sections :—

“ 9. (1) No employer shall dismiss any employee from his employment or injure him in his employment by reason merely of the fact that the employee is an officer or member of an organisation, or of an association that has applied to be registered as an organisation, or is entitled to the benefit of an industrial agreement or award.

Penalty : Twenty pounds.

“ (2) No proceeding for any contravention of this Section shall be instituted without the leave of the President or the Registrar.

“ (3) In any proceeding for any contravention of this Section, it shall lie upon the employer to show that any employee, proved to have been dismissed or injured in his employment whilst an officer or member of an organisation, or such an association, or whilst entitled as aforesaid, was dismissed or injured in his employment for some reason other than that mentioned in this Section.

“ 10. (1) No employee shall cease work in the service of an employer by reason merely of the fact that the employer is an officer or member of an organisation, or of an association that has applied for registration as an organisation, or is entitled to the benefit of an industrial agreement or award.

Penalty : Ten pounds.

“ (2) No proceeding for any contravention of this Section shall be instituted without the leave of the President or the Registrar.

“ (3) In any proceeding for any contravention of this Section, it shall lie upon the employee, proved to have ceased work in the service of an employer whilst the employer was an officer or member of an organisation, or such an association, or was entitled as aforesaid, to show that he ceased so to work for some reason other than that mentioned in this Section.”

3. §43 of the Principal Act is repealed, and the following Section substituted in lieu thereof :—

“ 43. (1) The President may, subject to the approval of the Governor-General, make rules not inconsistent with this Act or the Regulations—

(a) for regulating the practice and procedure of the Court ; and

(b) for prescribing the duties of the Industrial Registrar, the Deputy Industrial Registrars, and any other officers of the Court.

“ (2) Subject to this Act and to the rules, the practice and procedure of the Court and the duties of the Industrial Registrar, the Deputy Industrial Registrars, and other officers of the Court shall be as directed by the President.

“ (3) All such rules shall—

(a) be notified in the *Gazette* ;

(b) take effect from the date of notification, or from a later date specified in the rules ; and

(c) be laid before both Houses of the Parliament within 30 days of the making thereof, or, if the Parliament is not then sitting, within 30 days after the next meeting of the Parliament.



"(4) If either House of the Parliament passes a resolution of which notice has been given at any time within 15 sitting days after such rules have been laid before such House disallowing any rule, such rule shall thereupon cease to have effect."

4. §59 of the Principal Act is amended—

(a) by omitting the word "may" and inserting in lieu thereof the words "shall, unless in all the circumstances he thinks it undesirable so to do"; and

(b) by omitting the words "in the State in which the application is made."

5. §83 of the Principal Act is amended by adding at the end thereof the following Sub-section:—

"(2) Nothing in this Section shall be taken to derogate from the power of the Court to punish for contempt."

**2. An Act to amend the Commonwealth Conciliation and Arbitration Act, 1904-1909. (No. 7 of 1910.) (Assented to 29th August, 1910.)**

1. (1) This Act may be cited as the Commonwealth Conciliation and Arbitration Act, 1910.

(2) The Commonwealth Conciliation and Arbitration Act, 1904-1909, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Commonwealth Conciliation and Arbitration Act, 1904-1910.

2. §4 of the Principal Act is amended—

(a) by inserting in the definition of "Employee," after the word "industry," the words "and includes any person whose usual occupation is that of employee in any industry";

(b) by omitting therefrom the definition of "Industrial dispute" and inserting in its stead the following definition: "'Industrial dispute' means an industrial dispute extending beyond the limits of any one State, and includes—

(i.) any dispute as to industrial matters arising between an employer or an organisation of employers on the one part and an organisation of employees on the other part, and

(ii.) any dispute in relation to employment in an industry carried on by or under the control of the Commonwealth or a State, or any public authority constituted under the Commonwealth or a State, and

(iii.) any threatened or impending or probable industrial dispute; "

(c) by inserting in the definition of "industrial matters" at the end thereof the following words "and includes all questions of what is fair and right in relation to any industrial matter having regard to the interests of the persons immediately concerned and of society as a whole; " and

(d) by omitting from the definition of "industry" the words "excepting only persons engaged in domestic service, and persons engaged in agricultural, viticultural, horticultural, or dairying pursuits" and inserting in their stead the words "and includes a branch of an industry and a group of industries."

3. After §16 of the Principal Act the following Section is inserted :—

“16a (1) The President may, whenever in his opinion it is desirable for the purpose of preventing or settling an industrial dispute, summon any person to attend, at a time and place specified in the summons, at a conference presided over by himself.

“(2) Any person so summoned shall attend the conference and continue his attendance thereat as directed by the President.

Penalty : Five hundred pounds.

“(3) The conference may be held partly or wholly in public or in private, at the discretion of the President.”

4. §19 of the Principal Act is amended by inserting, after the word “cognisance,” the words “for purposes of prevention and settlement.”

5. After §21 of the Principal Act the following Section is inserted :—

“21a. A certificate of the Registrar that any specified persons were at any specified time members of any specified organisation shall (subject to review by the President under §17 of this Act) be conclusive evidence that the facts are as stated.”

6. §25 of the Principal Act is amended :—

(a) by inserting, after the words “industrial dispute,” the words “and in any proceeding under this Act ;”

(b) by inserting, after the word “Court,” the words “or the President” ;

(c) by inserting, after the word “its,” the words “or his” ; and

(d) by inserting, after the word “it,” the words “or he.”

7. §27 of the Principal Act is amended—

(a) by omitting therefrom the words “or by leave of the President,” and by inserting after the words “counsel or solicitor” the words “or paid agent.”

8. After §38 of the Principal Act the following Sections are inserted :—

“38a. The Court may, at any time before the determination of an industrial dispute of which it has cognisance, allow the amendment, on such terms as it thinks fit, of the plaint or of any subsequent proceeding.

“38b. In making an award or order, the Court shall not be restricted to the specific relief claimed by the parties to the industrial dispute, but may include in the award or order any matter or thing which the Court thinks necessary or expedient for the purpose of preventing or settling the dispute.”

9. §40 of the Principal Act is repealed, and the following Section substituted in its stead :—

“40.—(1.) The Court, by its award, or by order made on the application of any organisation or person bound by the award, may—

(a) direct that, as between members of organisations of employers or employees and other persons (not being sons or daughters of employers) offering or desiring service or employment at the same time, preference shall, in such manner as is specified in the award or order, be given to such members, other things being equal ; and

(b) prescribe a minimum rate of wages or remuneration (in which case the Court shall, on the application of any party to the industrial dispute, or of any organisation or person bound by the award), make provision for fixing, in such manner and subject to such conditions as are specified in the award or order, a lower rate in the case of employees who are unable to earn the minimum wage so prescribed.

" (2) Whenever, in the opinion of the Court, it is necessary, for the prevention or settlement of the industrial dispute, or for the maintenance of industrial peace, or for the welfare of society, to direct that preference shall be given to members of organisations as in paragraph (a) of Sub-section (1) of this Section provided, the Court shall so direct."

10. After §40 of the Principal Act, the following Section is inserted :—

" 40a. The Court, by its award, or by order made on the application of any organisation or person bound by the award, may—

(a) appoint, for the purposes of the award, a Board of Reference. consisting of one or more persons ; and

(b) assign to the Board of Reference the function of allowing, approving, fixing, or dealing with, in the manner and subject to the conditions specified in the award or order, any specified matters or things which under the award or order may require from time to time to be allowed, approved, fixed, or dealt with by the Board."

11. §55 of the Principal Act is amended by omitting from Sub-section (1) all words from and including the words " Provided that no such organisation."

12. Schedule B to the Principal Act is repealed and the following Schedule shall be substituted therefor :—

#### " SCHEDULE B.

*Conditions to be complied with by Associations applying for Registration as Organisations.*

I. The affairs of the association shall be regulated by rules specifying the purposes for which it is formed, and providing for the following matters in relation to the association :—

- (a) A committee of management and officers ;
- (b) The powers and duties of the committee and of officers ;
- (c) The removal of members of committee and of officers ;
- (d) The control of the committee by the members, either as a whole, or in district meetings, or by a general governing body, or otherwise ;
- (e) The mode in which industrial agreements and other documents may be executed by or on behalf of the association ;
- (f) The power of bringing industrial disputes before the Court ;
- (g) The times when and terms on which persons shall become or cease to be members ;
- (h) The mode in which the property is to be controlled and the funds invested ;
- (i) The yearly or other more frequent audit of the accounts ;
- (j) The conditions under which funds may be disbursed for ordinary and extraordinary purposes ;
- (k) The keeping of a register of the members ;
- (l) The registered office ; and
- (m) The repeal and alteration of, and addition to, the rules.

II. The rules of an association may also provide for any other matter not contrary to law.

III. No two associations shall be registered as organisations under the same name.

IV. An application, in the prescribed form, for registration of an association as an organisation must be made to the Industrial Registrar, or to the Deputy Industrial Registrar in charge of the Registry in the State where the office of the association is situated, and shall be signed by two or more officers of the association.

V. Every application for registration shall be in duplicate and shall be accompanied by—

- (a) Two copies of a list of the members and officers of the association, so far as known to those signing the application ;
- (b) Two copies of the rules of the association ; and
- (c) Two copies of a resolution passed in accordance with the rules by a majority of the members present at a general meeting of the association in favour of registration of the association as an organisation ; or
- (d) Two copies of a resolution passed by an absolute majority of the committee of management in favour of registration of the association as an organisation."

**3. An Act to amend the Commonwealth Conciliation and Arbitration Act, 1904-1910. (No. 6 of 1911.) (Assented to 23rd November, 1911.)**

1. (1) This Act may be cited as the Commonwealth Conciliation and Arbitration Act, 1911.

(2) The Commonwealth Conciliation and Arbitration Act, 1904-1910, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Commonwealth Conciliation and Arbitration Act, 1904-1911.

2. §4 of the Principal Act is amended by omitting from the definition of "Industrial dispute" the words "arising between an employer or an organisation of employers on the one part and an organisation of employees on the other part."

3. §4 of the Principal Act is amended by omitting therefrom the definition of "Industry," and inserting in its stead the following definition:—

" 'Industry' includes—

(a) any business, trade, manufacture, undertaking, or calling of employers, on land or water;

(b) any calling, service, employment, handicraft, or industrial occupation or avocation of employees on land or water; and

(c) a branch of an industry and a group of industries."

4. The registration, as an organisation under the Principal Act, of any association purporting to be registered before the commencement of this Act shall be deemed to be as valid to all intents and purposes, and to have constituted the association an organisation as effectually as if this Act had been in force at the date of the registration.

5. §7 of the Principal Act is amended—

(a) by omitting the words "in any industry"; and

(b) by omitting the words "in that industry."

6. §9 of the Principal Act is amended—

(a) by inserting, after the words "injure him in his employment," the words "or alter his position to his prejudice";

(b) by omitting the words "twenty pounds" and inserting in their stead the words "fifty pounds"; and

(c) by inserting, after the words "injured in his employment," wherever they occur, the words "or prejudiced."

7. §10 of the Principal Act is amended by omitting the words "ten pounds" and inserting in their stead the words "twenty-five pounds."

8. §16a of the Principal Act is amended by inserting after Sub-section (1) the following Sub-section:—

" (1a) 'Any person' in the last preceding Sub-section includes not only persons engaged in or connected with an industrial dispute, but also any person engaged in or connected with any dispute relating to industrial matters (whether extending beyond the limits of a State or not), and related in any way to an industrial dispute; and also includes any person, whether connected with an industrial dispute or not, whose presence at the conference the President thinks is likely to conduce to the prevention or settlement of an industrial dispute."

9. After §17 of the Principal Act the following Section is inserted:—

" 17a. The Court or President may order any party to any application to pay to any other party such costs and expenses, including expenses of witnesses, as it or he thinks fit, but so that no costs shall be allowed for the services of any counsel, solicitor, or agent."

10. §19 of the Principal Act is amended—
  - (a) by omitting the words “in the prescribed manner; and”; and
  - (b) by adding at the end thereof the words “and  
“(d) All industrial disputes as to which the President has held a conference under §16a of this Act, and as to which no agreement has been reached, and which the President has thereupon referred to the Court.”
11. §21 of the Principal Act is amended by omitting the words “that any dispute relating to industrial matters is” and inserting in their stead the words “that a specified industrial dispute exists and is.”
12. §24 of the Principal Act is amended—
  - (a) by inserting in Sub-section (1), after the words “agreement between the parties,” the words “as to the whole or any part of the dispute,” and
  - (b) by omitting the whole of Sub-section (2), and inserting in its stead the following Sub-section:—  
“(2) If no agreement between the parties as to the whole of the dispute is arrived at, the Court shall, by an award, determine the dispute, or (if an agreement has been arrived at as to a part of the dispute) so much of the dispute as is not settled by the agreement.”
13. §25 of the Principal Act is amended by omitting the words “in any proceeding under this Act” and inserting in their stead the words “in exercising any duties or powers under or by virtue of this Act.”
14. §31 of the Principal Act is amended—
  - (a) by inserting, after the word “award,” the words “or order”, and
  - (b) by inserting, after the words “called in question,” the words “or be subject to prohibition or mandamus.”
15. Paragraph (h) of §38 of the Principal Act is amended—
  - (a) by inserting, after the word “matter,” the words “or part of a matter”;
  - (b) by inserting, after the words “determining the dispute,” the words “or part of the dispute”;
  - (c) by inserting, after the words “appears that the dispute,” the words “or part”; and
  - (d) by omitting, after the words “trivial, or,” the words “that the dispute.”
16. §38b of the Principal Act is amended—
  - (a) by inserting, after the words “industrial dispute,” the words “or to the demands made by the parties in the course of the dispute”; and
  - (b) by adding at the end of the Section the words “or of preventing further industrial disputes.”
17. §40a of the Principal Act is amended—
  - (a) by inserting, after the word “appoint,” the words “or give power to appoint”;
  - (b) by inserting, after the word “fixing,” the word “determining”; and
  - (c) by inserting, after the word “fixed,” the word “determined.”
18. §55 of the Principal Act is amended—
  - (a) by inserting in Sub-section (1) after the words “following associations” the words “or persons”;

(b) by inserting in paragraph (a) of Sub-section (1) after the word "aggregate" the words "or any employer who has."

19. The Principal Act is amended by inserting, after §58, the following Section :—

"58a. An organisation may, in the prescribed manner, and on compliance with the prescribed conditions, change its name, and the Registrar shall thereupon record the change of name in the register and upon the certificate of registration."

20. §60 of the Principal Act is amended—

(a) by omitting the words "appears to the Registrar," and inserting in their stead the words "appears to the Court, on the application of any organisation or person interested or of the Registrar";

(b) by omitting all words, from and including the words "he shall make application," to the end of Sub-section (1), and inserting in their stead the words "the Court shall order the registration of the organisation to be cancelled, and thereupon it shall be cancelled accordingly"; and

(c) by omitting the whole of Sub-sections (2) and (3).

21. §62 of the Principal Act is amended by inserting, after the word "association," where it first occurs, the words "whether registrable under this Act or not."

22. §73 of the Principal Act is amended by inserting, after the words "industrial disputes," the words "existing or future."

23. §75 of the Principal Act is amended by omitting the words "three years" and inserting in their stead the words "five years."

## (B) STATES.

### I. QUEENSLAND.

**An Act to amend the Wages Boards Act of 1908.** (No. 30.) (Assented to 9th January, 1912.)

1. This Act shall be read as one with "The Wages Boards Act of 1908," herein referred to as the Principal Act, and may be cited together with that Act as "The Wages Boards Acts, 1908-12," or separately as "The Wages Boards Act Amendment Act of 1912."

2. The following amendments are made in §2 of the Principal Act :—

The following words are added to the definition of "Apprentice," namely : "for the purpose of being instructed in the knowledge and practice of any process, trade, business, or industry for a period of not less than three years."

The following words are added to the definition of "Clothing or wearing apparel," namely : "also umbrellas, hats, shirts, and other underclothing, and gloves."

The definitions of "Furniture" and "Improver" are repealed, and the following definitions are inserted in lieu thereof :—

"Employer" means any person who employs any other person at or in or in connection with any process, trade, business, or industry : for the purposes of this Act, the term includes the managing director or the manager of any company, firm or association, corporate or unincorporate, and every manager for any employer : the term does not include any foreman ;

"Employee" means any person who is or at any time during the last preceding nine months has been in the employment of an employer other than persons who are included in the definition of "employer";

"Furniture" means furniture and all parts thereof of which wood forms a part, and such as is usually made by cabinet-makers, chairmakers, couchmakers, upholsterers, woodcarvers, or wood-turners: the term includes wire kapok fibre hair and other mattresses, bedsteads wholly or partly of iron, also drapings, hangings, carpets, linoleums, and floorcloths, also window blinds and veranda blinds;

"Improver" means any person under 21 years of age who receives a lower wages price or rate than that fixed by any Special Board for persons other than apprentices, improvers, or young workers; or who, being over 21 years of age, holds a licence from an inspector to work as an improver: the term includes every apprentice who is bound under indentures for a period of less than three years, but does not include any other apprentice or any young worker;

"Young Worker" means any person under 21 years of age (other than an apprentice or an improver) who receives a lower wages price or rate than that fixed by any Special Board for persons other than apprentices, improvers, or young workers.

3. In Sub-section (1) of §3 of the Principal Act, the words "or business" are repealed, and the words "business or industry" are inserted in lieu thereof; also, the words "ordinary working hours" are repealed, and the words "ordinary daily or weekly working hours, or both" are inserted in lieu thereof; also, after the words "specified locality," the words "or localities" are inserted.

The following provision is added to the Sub-section:—

"The Governor in Council may, if he thinks fit, from time to time, increase the number of members or decrease the number of members of any duly appointed Special Board, whether appointed before or after the first day of January, 1912, provided that the number thereof shall not exceed twelve or be less than four, exclusive of the chairman, and that the number of representatives of employers and employees respectively as hereinafter provided shall always remain equal."

4. In §4 of the Principal Act, the word "trade," where it twice occurs, is repealed, and the words "process, trade, business or industry" are respectively inserted in lieu thereof.

The following proviso is added to Sub-section (3) of the said Section:—

"Provided that when the Order in Council appointing a Special Board is rescinded the members of such Special Board shall forthwith cease to hold office."

After Sub-section (3) of the said Section, the following Sub-section is inserted:—

(4) No person shall be eligible to be appointed or elected as employees' representative on more than two Special Boards.

5. In §5, the words "one month" are repealed, and the words "two months" are inserted in lieu thereof; also, the words "trade or business" where they thrice occur, are repealed, and the words "process, trade, business, or industry" are respectively inserted in lieu thereof.

6. In §7 of the Principal Act, after the word "employers," the words "and of the employees respectively" are inserted; the words "three representatives" are repealed, and the words "two representatives each" are inserted in lieu thereof; also, after the word "two," the words "representatives each" are inserted.

7. After §9 of the Principal Act, the following Section is inserted:—

"(9a). Before the chairman or any member of a Special Board enters upon the duties of his office, he shall take and sign before a police magistrate a statutory declaration that he will faithfully exercise and discharge the powers and duties of his office without fear of or favour to any person, and will not therein wilfully make any false or inaccurate statement. Every such declaration shall be filed in the office of the Chief Inspector and recorded."

8. §10 of the Principal Act is repealed, and the following Section is inserted in lieu thereof:—

"10. (1) A Special Board may determine the lowest wages prices or rates to be paid to any person or persons or classes of persons employed in repairing—

(a) any articles of clothing or wearing apparel or furniture with respect to which such Board makes a determination; or

(b) Any articles which are subject to the determination of a Special Board for any process, trade, business, or industry.

(2) A Special Board, when making a determination, may determine—

(a) The place and time of payment of wages or for piece-work;

(b) That an employer shall or shall not give certain notice to an employee of intention to work overtime, and failing notice he shall or shall not provide payment for meals of an employee;

(c) The duration of time to be allowed for meals or other intervals of cessation from work, and the periods of time between such intervals;

(d) The extra wages to be paid for any time worked on a particular day or days during any year.

9. The following provision is added to §14 of the Principal Act:—

"For the purposes of compelling the attendance of persons to give evidence and the punishment of persons failing to attend when summoned or refusing to give evidence or produce documents or writings in their possession or power, such chairman shall have all the powers and authorities of a police magistrate sitting in a court of petty sessions."

10. In Sub-section (1) of §15 of the Principal Act—

The words "or business," where they twice occur, are repealed, and the words "business or industry" are inserted in lieu thereof.

After the words "any such articles" the words "or for doing any work" are inserted.

11. §§19 to 23, inclusive, of the Principal Act are repealed, and the following Sections are inserted in lieu thereof:—

"19. Every Special Board, when fixing the lowest wages price or rate to be paid to any person or persons or classes of persons, shall also determine the maximum number of ordinary working hours per day and per week, and the periods of time within which such hours shall be worked, for which such lowest wages price or rate shall be payable according to the nature or conditions of the work; and the wages price or rate payable for any shorter time worked shall not be less than a *pro rata* amount of such price or rate.



"The Board may also fix a higher wages price or rate than that set forth in the determination of the Board as the price or rate payable for the maximum number of hours per day or per week which shall be paid to any employee who works for any time in excess of the maximum number of ordinary working hours so fixed."

"20. (1) The Governor in Council may, by Order in Council published in the *Gazette*, extend the powers of any Special Board so that such Board may fix the lowest prices or rates for any articles or for doing any work in any process, trade, business or industry, or part of any such process, trade, business, or industry, which, in the opinion of the Governor in Council, may be of the same or similar class or character as or to the articles or work for which such Board was appointed; and such Board shall, as regards the articles or work in the process, trade, business or industry mentioned in the extending Order in Council, have all the powers conferred on a Special Board by this Act.

"(2) A copy of the *Gazette* containing such Order shall be conclusive evidence of the making of such Order, and such Order shall not be liable to be challenged or disputed in any Court whatever."

*Apprentices, Improvers, and Young Workers.*

"21. (1) When determining any prices or rates of payment, a Special Board may also determine the number or proportionate number of apprentices, improvers, or young workers who may be employed by any one employer, and the lowest prices or rates of pay payable to apprentices, improvers, or young workers in wholly or partly preparing or manufacturing any articles, or doing any work as to which such Special Board has made a determination, or when engaged in any process, trade, business, or industry respecting which such Special Board has made a determination: Provided that no young worker shall be employed at any class or kind of skilled labour.

"A Special Board may also determine the conditions under which apprentices may be indentured.

"(2) The Board, when so determining, may take into consideration the age, sex, and experience of such apprentices, improvers, or young workers, and may fix a scale of prices or rates payable to such apprentices, improvers, or young workers respectively according to age, sex, or experience, and may fix a different proportion of male and female apprentices, improvers, or young workers.

"22. Where an employer through depression in any process, trade, business, or industry has reduced the number of his employees so as to affect the proportionate number of apprentices employed by him, the Minister, after full inquiry, may, if he thinks fit, permit him to continue employing such apprentices for the full term of their indentures."

12. In §§24 and 25 of the Principal Act, the word "trade," wherever it occurs, is repealed, and the words "process, trade, business, or industry" are respectively inserted in lieu thereof.

13. In §27 of the Principal Act, after the words "named in such license at," the words "such wage as the Inspector thinks fit, being not less than" are inserted.

14. In Sub-section (1) of §29 of the Principal Act, after the word "articles," the words "or for doing any work" are inserted.

In Sub-section (2) of the said Section (and in the marginal note thereto), the words "earnings of" are repealed, and the words "amount of work performed by" are inserted in lieu thereof.

15. In Sub-section (1) of §30 of the Principal Act, the words "any Special Board" are repealed, and the words "the Chief Inspector pending confirmation by the Board," are inserted in lieu thereof; the word "such," before the words "Special Board," is repealed, and the word "any" is inserted in lieu thereof; also, the words "that Board" are repealed, and the words "the Chief Inspector pending confirmation by the Board," are inserted in lieu thereof; also, before the word "twelve," the words "a period not exceeding" are inserted.

Sub-section (2) of the said Section is repealed, and the following Sub-section is inserted in lieu thereof:—

"(2) The number of persons so licensed shall not, without the consent of such Special Board, exceed the proportion of one-fifth of the whole number of persons employed by the same employer at the minimum wage fixed for adults or at piece-work rates: Provided that one person so licensed may be employed by any one employer. Any employer who, without consent, employs any greater number than such proportion shall be guilty of a contravention of this Act."

In Sub-section (3) of the said Section, the words "by a Special Board" are repealed.

16. §31 of the Principal Act is repealed, and the following Section is inserted in lieu thereof:—

"31. Subject to the provisions hereinafter contained relating to the suspension of the operation of any determination or part thereof, a determination of any Special Board, whether an original determination or an amended determination, shall, from a date fixed by such Board (not being within 60 days of such determination), remain in force for a period of twelve months, and also thereafter until it has been amended by another determination of such Board. When the Order in Council appointing a Special Board is rescinded, such rescission shall not affect the operation of any determination made by such Board and then in force, but such determination shall remain in force until suspended, superseded, or otherwise dealt with under this Act."

17. In §35 of the Principal Act, after the words "manufacturing articles," the words "or doing any work" are inserted; after the words "preparing or manufacturing," where they secondly occur, the words "or doing" are inserted, and the following words are added to the Section, namely: "or for doing any work whether in connection with a factory or not."

18. In Sub-section (1) of §36 of the Principal Act, after the word "determination," where it first occurs, the words "or any part of the determination" are inserted; after the word "determination," wherever it afterwards occurs in the said Sub-section, the words "or part thereof" are inserted.

In Sub-section (2) of the said Section, after the words "amended determination," the words "not being within 60 days of the making of such amendment" are inserted; also, after the words "suspended determination," the words "or suspended part thereof" are inserted.

In Sub-section (3) of the said Section, after the words "such determination," the words "or part thereof" are inserted.

19. After §37 of the Principal Act, the following Section is inserted :—  
 “ 37a. When, by the determination of a Special Board, a limit of time within which the ordinary daily working hours shall be confined has been fixed, and thereby such limit is different from the limit of the ordinary daily working hours of the majority of the employees in any factory or shop, the Governor in Council may grant permission to the occupier thereof to alter the limit so fixed by such Board for the purpose of maintaining a uniform limit for all employees in such factory or shop : Provided that the working hours fixed by the Wages Board for any class of workers shall in no case be exceeded.”
20. §37 of the Principal Act is repealed, and the following Section is inserted in lieu thereof :—  
 “ When any person on any one day is asked to perform two or more classes of work to which a differential rate fixed by a Board is applicable, such person shall be paid in respect of the time occupied in work on that day at the highest rate fixed by the Board in respect of the different classes of work.”
21. In §41 of the Principal Act, the words “ at or near the entrance of each and every factory, workroom, or shop ” are repealed, and the words “ approved by the inspector in or at each and every factory, workroom, shop, or place ” are inserted in lieu thereof ; also, the words “ as to the lowest prices or rates of payment determined by such Board ” are repealed.
22. In §42 of the Principal Act, after the word “ articles,” the words “ or for doing any work ” are inserted ; also, the words “ occupier of the factory ” are repealed, and the word “ employer ” is inserted in lieu thereof.
23. In §§43 and 44 of the Principal Act, after the words “ doing any work,” the words “ whether in connection with a factory or not ” are respectively inserted.
24. In §45 of the Principal Act, the word “ twelve ” is repealed, and the word “ three ” is inserted in lieu thereof ; moreover, the words “ may within twelve months after such money became due ” are repealed, and the words “ if within 14 days after such money became due he claims the amount thereof and is not paid the same in full may within one month after the date of such claim ” are inserted in lieu thereof.
25. The following provision is added to the said §45 :—  
 “ If it is proved that the employer has paid less than the rates fixed by the Special Board for a period of more than three months, the balance of wages due up to twelve months shall be paid into the Consolidated Revenue.”
26. After §45 of the Principal Act, the following Section is inserted :—  
 “ 45a. When a Special Board appointed to determine or fix the lowest price or rate which may be paid to any person for wholly or partly preparing or manufacturing any particular articles of furniture has determined the periods of time within which the ordinary working hours shall be worked, it shall not be lawful for more than one member of a partnership to personally work inside a factory of the class to which the determination relates at any time beyond such periods of time, if for such work such Special Board has determined the ordinary working hours, unless such partnership has first obtained the written permission of the Chief Inspector.”

27. In §47 of the Principal Act, the words "trade or business" are repealed, and the words "process, trade, business, or industry" are inserted in lieu thereof.

28. In §48 of the Principal Act, the words "until altered by another agreement entered into and ratified in like manner, or by a determination of a Special Board constituted for such trade or business and having jurisdiction in such locality" are repealed, and the words "for a period to be agreed on, but not exceeding three years, or until sooner altered by another agreement entered into and ratified in like manner" are inserted in lieu thereof; also, the words "trade or business," wherever those words occur, are repealed, and the words "process, trade, business, or industry" are respectively inserted in lieu thereof.

29. In the heading to §49 of the Principal Act, the words "Trades and Businesses" are repealed, and the words "Processes, Trades, Businesses, and Industries" are inserted in lieu thereof.

In the said §49, before the word "trade," wherever it occurs, the word "process" is respectively inserted; also, after the words "in which" the words "whether within the State or" are inserted.

In the second paragraph of the said Section, the words "he shall" are repealed, and the words "he may in his discretion" are inserted in lieu thereof; also, before the words "shall call," the words "by such notice" are inserted; also, the words "one month" are repealed, and the words "two months" are inserted in lieu thereof; also, before the words "shall exercise," the word "thereupon" is inserted.

30. After §49 of the Principal Act, the following Section is inserted under the following heading:—

*Inspection.*

49a. In every case where under this Act a Special Board is created having jurisdiction throughout the whole State, or with jurisdiction limited to any specified locality or district, any inspector authorised in that behalf by writing under the hand of the Chief Inspector shall, for the purposes for which the Special Board was created, and for the purpose of carrying into effect any determination of the Special Board, have and exercise all the powers, authorities and duties of an inspector appointed for a district under the Principal Act."

31. In §50 of the Principal Act, the word "award" is repealed, and the word "determination" is inserted in lieu thereof.

The following provision is added to the Section:—

"No employer shall dismiss any employee from his employment on account of such employee being a member of a Special Board, or of his having given evidence at a meeting of any Special Board, or for endeavouring to secure the appointment of a Special Board."

32. In Sub-section (1) of §51 of the Principal Act the words "or business" where they twice occur, are repealed, and the words "business or industry" are respectively inserted in lieu thereof.

After the word "articles," where it twice occurs, the words "or for doing any work" are respectively inserted.

After the word "improver," where it twice occurs, the words "or young worker" are respectively inserted.

The words "or any determination thereunder" are added to paragraph (c) of the said Sub-section.

33. After §51 of the Principal Act, the following Section is inserted :—  
 “ 51a. When under any determination of a Special Board the amount of wages payable by an employer to an employee depends wholly or in part upon the age or experience or duration of previous employment of the employee, any person who, when seeking employment or while an employee, gives or makes to an employer any information or statement relating to any such matters which is false to the knowledge of such person or employee, shall be liable to a penalty not exceeding twenty pounds.”

34. In Sub-section (i.) of §52 of the Principal Act, the words “ trade or business ” are repealed, and the words “ process, trade, business, or industry ” are inserted in lieu thereof ; also, the words “ occupier of a factory or shop ” are repealed, and the word “ employer ” is inserted in lieu thereof.

35. The following Section is added to the Principal Act, and the Principal Act shall be read and construed as if the said Section had been inserted therein at the date of the commencement of the Principal Act :—

“ 53. (1) The Governor in Council may, by another Order in Council published in the *Gazette*, amend or rescind any Order in Council made under this Act.

“ (2) No misnomer or inaccurate description or omission in or from any Order in Council made under this Act shall in anywise prevent or abridge the operation of this Act with respect to the subject-matter, provided the same is designated so as to be understood.

“ (3) No Order in Council purporting to be made under this Act, and being within the powers conferred on the Governor in Council, shall be deemed invalid on account of any non-compliance with any of the matters required by this Act as preliminary to the same.”

36. §§6, 11, 17, 28, 34, and 38 of the Principal Act are repealed.

## 2. SOUTH AUSTRALIA

**An Act to further amend “ The Factories Act, 1907.”** (No. 1020.) (Assented to 7th December, 1910.)

1. This Act may be cited alone as “ The Factories Act Amendment Act, 1910 ” ; and “ The Factories Act, 1907 ” (hereinafter called “ the Principal Act ”), “ The Factories Act Amendment Act, 1908,” and this Act may be cited together as “ The Factories Acts, 1907 to 1910.”

2. This Act is incorporated with the Acts mentioned in §1, and those Acts and this Act shall be read together as one Act.

### *Amendments of Principal Act.*

3. §4 of the Principal Act is amended by striking out Sub-section (5) thereof.

4. (1) The definition of the term “ factory ” in §6 of the Principal Act is amended so that the said term shall include, in addition to what is mentioned in the said Section—

(a) Any clay-pit or quarry within which, or the precincts whereof, the occupier employs any person at manual labour which is exercised by way of trade or for purposes of gain, such clay-pit or quarry being worked or used in connection with any pottery or brickyard occupied by such occupier ; and

(b) Any premises or place, other than the premises of the Municipal Tramways Trust, where electricity is generated for the supply of heat, light, or power, or any or all of them, or where coal gas is made, and within which premises or place, or the precincts whereof, the occupier employs any person at manual labour which is exercised by way of trade or for purposes of gain :

(2) The term " factory " in this Act and the Principal Act does not include any medical dispensary or dentist's or chemist's laboratory.

5. The definition of the term " apprentice " in §6 of the Principal Act is repealed, and from the passing of this Act the term " apprentice " in the Principal Act and in this Act shall mean and include—

(1) A person under 21 years of age who is bound by indentures of apprenticeship entered into prior to the passing of the Principal Act, which indentures—

(a) Bind the employer to instruct such person for the full period of the apprenticeship in the particular process, trade, business, occupation, or calling carried on by such employer, or in any part or parts thereof ; and

(b) Are entered into for a period—

- i. Of not less than three years ; or
- ii. Which, with the addition of such time as such person had, before becoming bound by the said indentures, worked at the said process, trade, business, occupation, or calling, or the said part or parts thereof, makes a period of not less than three years ; or
- iii. Which begins before such person is 20 years of age and continues until he is 21 years of age ; and

(2) A person under the age of 21 years who is bound by indentures of apprenticeship, entered into after the passing of the Principal Act, which indentures—

(a) Bind the employer to instruct such person for the full period of the apprenticeship in the particular process, trade, business, occupation, or calling carried on by such employer, and

(b) Are in the form prescribed by the Board pursuant to Sub-division vi. of §93 of the Principal Act, or the form (if any) prescribed by the Governor under §43 of this Act, whichever (if either) was or is in force when the indentures were or are entered into ; and

(c) Are entered into for a period, which, if a term is prescribed by the Board pursuant to Sub-division vi. of the said §93—

- i. Is not less than the term so prescribed ; or
- ii. With the addition of such time as such person had, before becoming bound by the said indentures, worked at the said process, trade, business, occupation, or calling, makes a period not less than the term so prescribed ; or
- iii. Begins before such person is 20 years of age and continues until he is 21 years of age ;

or which, if no term is so prescribed—

- i. Is not less than three years ; or
- ii. With the addition of such time as such person had, before becoming bound up by the said indentures, worked at the said process, trade, business, occupation, or calling makes a period of not less than three years ; or

iii. Begins before such person is 20 years of age and continues until he is 21 years of age ; and

(3) A person who is bound by indentures of apprenticeship approved under §97, Sub-section (1) of the Principal Act, by the Chairman, or by the Minister if at the time of obtaining the approval there is no Chairman ; and

(4) A person who, before the passing of this Act, has become bound pursuant to §97, Sub-section (2) of the Principal Act by indentures of apprenticeship in the form prescribed by the Board pursuant to §93, Sub-section vi., of the said Act ; and

(5) A person under the age of 21 years who has completed his apprenticeship, such apprenticeship having been for a term of not less than three years.

6. The definition of the term " improver " in §6 of the Principal Act is amended—

- i. By inserting after the word " who " in the second line thereof the words " works as an improver and " ; and
- ii. By striking out Sub-division (b) thereof.

7. §19 of the Principal Act is amended as follows :

- i. In Sub-division (b), after the word " forward " in the second line, the words " such record " are inserted, and the words " a true copy thereof," in the third line, are struck out ;
- ii. In Sub-division (c), after the word " place " in the second line, the words " in the factory " are inserted ; and
- iii. In Sub-division (f), the words " a copy of " are struck out.

8. §20, Sub-section (3), of the Principal Act is amended by striking out the words " or a true copy thereof."

9. §22 of the principal Act is amended by striking out the words " indentures of apprenticeship " in Sub-division (g) thereof.

10. If any factory is not provided with proper closet accommodation in the proportion of one closet at least for every 20 or fraction of 20 persons of the male sex, and one closet at least, separate from the closets for the male sex, for every 20 or fraction of 20 persons of the female sex employed therein, or if the approaches to the closets provided for one sex are not properly separated from the approaches to the closets provided for the other sex, such factory shall, for the purposes of §32 of the Principal Act, be deemed to be defective by reason of being insufficiently provided with privies.

11. §41 of the Principal Act is amended by striking out the word " and " at the end of the second line thereof and the whole of the third line.

12. §43, Sub-section (1), of the Principal Act is amended by striking out the words " by the workers inhaled to an injurious extent " in Sub-division (a), and substituting therefor the words " such dust is inhaled, or liable to be inhaled, by the workers."

13. §46, Sub-section (2), of the Principal Act is amended—

- i. By striking out the words " and in particular " in Sub-division (a) thereof ; and
- ii. By striking out the word " directly " in the second line of Sub-division (b) thereof.

14. §47, Sub-section (1), of the Principal Act is amended by striking out Sub-division (a) thereof.

15. §49 of the Principal Act is amended by substituting the word "eighteen" for the word "sixteen" in the second line thereof.<sup>8</sup>

16. §65, Sub-section (2), of the Principal Act is amended—

- i. By inserting "Sub-division (a) of" before "Sub-section (1)." in the second line thereof; and
- ii. By striking out the words "each day on which he avails himself of the provisions of this Section" in paragraph (c), Sub-division iii., and substituting therefor the words "such extra working."

17. (1) No employer engaged in any process, trade, business, occupation, or calling, or group or part, in respect whereof a Board has been appointed, shall, nor shall the wife or son or daughter of any such employer—

(a) Directly or indirectly, for any consideration, keep or receive as a boarder or lodger any person who is in the employ of such employer and whose wages are fixed by a Board; or

(b) Have any share or interest in the keeping of a lodging-house in which any such person boards or lodges.

(2) This Section shall not apply when the place where the person boards or lodges is a hotel, club, lodging-house, private dwelling-house, coffee-house, fish or oyster shop, restaurant, or chemist's shop, not to any employment where it is customary to provide board and lodging for employees.

(3) §71 of the Principal Act is repealed.

Penalty, £10.

18. §81 of the Principal Act is amended as follows:

- i. In Sub-division (b), after the word "forward" in the second line, the words "such record" are inserted, and the words "a true copy thereof" in the third line, are struck out;
- ii. In Sub-division (c), after the word "place" in the second line, the words "in the premises where he is so engaged," are inserted;
- iii. In Sub-division (f) the words "a copy of" are struck out.

19. §82 of the Factories Act, 1907, is hereby amended by inserting the words "within three years previous to being so appointed," after the word "been" in Sub-section 3, and also after the word "been" in Sub-section 4.

20. (1) §93 of the Principal Act is amended by inserting after the word "shall," in the first line of Sub-division iii., the words "subject to §65."

(2) The said §93 is further amended by the addition thereto of the following Sub-division:

- viii. Shall determine wages prices or rates higher than those determined for the maximum number of hours fixed under Sub-division iii., which shall be paid to children, young persons, and women respectively, in respect of time above such maximum worked in any week elsewhere than in a factory occupied by the employer.

21. §95 of the Principal Act is amended—

- i. By striking out the first ten lines thereof and substituting therefor the following:



"95. (1) The Board, for the purpose of determining the lowest prices or rates of payment which may be paid, shall take such evidence as it deems sufficient, including evidence of any determination of a similar Board in the State of Victoria, and shall take into consideration—"

and—

ii. By adding the following Sub-section :

"(2) The Board shall ascertain what prices or rates are fair and reasonable as the lowest prices or rates to be paid, taking into consideration the evidence and the matters and things mentioned in Sub-section (1) hereof, and shall make their determination accordingly."

22. §96 of the Principal Act is repealed, and in lieu thereof it is enacted as follows :

"96. (1) A Board may report to the Court of Industrial Appeals that it is unable to decide as to the exercise and discharge of its powers and duties under §93, or any of such powers and duties specified in its report.

(2) If a Board fails to exercise and discharge its powers and duties under §93, or any of such powers and duties, within six months from the publication in the *Gazette* of the appointment of the Chairman of such Board, the Minister may report such failure to the Court of Industrial Appeals.

(3) When the Minister has published in the *Gazette* a notice under Sub-section (1) of §84, and, through the inability of the Minister to obtain the required number of persons who are qualified and willing to be appointed and to act as members of the Board to be appointed, or through any other cause whatsoever, the Board is not fully appointed within three months after such publication of the said notice, the Minister may report to the Court of Industrial Appeals that the Board cannot be appointed.

(4) Upon receiving a report from a Board or the Minister as aforesaid, the Court, according to the nature of the case, may exercise and shall discharge the powers and duties of the Board which have not been exercised and discharged by the Board or the powers and duties which the Board might have exercised and discharged if it had been appointed.

(5) The Court shall embody its decision in a report.

(6) The decision of the Court—

(a) Shall be forwarded to the Minister ;

(b) Shall be forthwith published by the Minister in the *Gazette* ;

(c) Shall come into force on the 14th day after such publication, or on a later date (if any) fixed by the Court, of which date notice is given in the *Gazette* at the time of such publication ; and

(d) Shall thereafter be deemed to be and shall have the same force and effect and application as if, according to the nature of the case, it were the determination or a determination or other act of the Board mentioned in Sub-section (1) or Sub-section (2) hereof, or of the Board which was to have been appointed.

23. §97 of the principal Act is amended by—
- i. Inserting after the word "Chairman" in the sixth line thereof the words "or by the Minister if at the time of obtaining the approval there is no Chairman";
  - ii. Inserting after the word "Chairman" in the seventh line thereof the words "or the Minister, as the case may be"; and
  - iii. Repealing Sub-section (2) thereof.
24. In Division VII. of Part VIII. of the Principal Act the following amendments are made :
- i. In the headline, after the word "slow," the word "inexperienced" is inserted ;
  - ii. In §103, Sub-sections (1) and (6), after the word "slow" the word "inexperienced" is inserted ;
  - iii. In §103, Sub-section (2), after the word "slowness" the word "inexperience" is inserted ;
  - iv. In §104, after the word "slow" the words "or inexperienced" are inserted.
25. (1) Sub-section (1) of §105 of the Principal Act is amended by substituting for Sub-division (c) thereof the following Sub-division :
- "(c) Come into force on the 14th day after such publication, or on a later date (if any) fixed by the Board, of which date notice is given in the *Gazette* at the time of such publication."
- (2) Sub-section (2) of the said §105 is amended—
- i. By striking out the word "and" at the end of the sixth line, and the whole of the seventh and eighth lines thereof ;
  - ii. By substituting for Sub-division (b) thereof the following Sub-division :  
 "(b) Remain in force until suspended under §107, or altered pursuant to an order of the Court of Industrial Appeals ;"
- and—
- iii. By striking out Sub-division (c) thereof and inserting the following Sub-division :  
 "(c) When a subsequent Board is appointed the determination of the previous Board shall remain in force until the coming into force of the determination of such subsequent Board."
26. Any Order heretofore published or made under Sub-section (2), Sub-division (a) ii. of §105 of the Principal Act is hereby revoked.
27. §106 of the Principal Act is amended by striking out the word "child" and substituting therefor the words "son or daughter."
28. §107 of the Principal Act is amended—
- i. By striking out Sub-division (b) of Sub-section 3 thereof ; and
  - ii. By inserting at the end of Sub-section (3) thereof the following :
- "and—
- (d) Shall come into force on the 14th day after the publication by the Minister in the *Gazette* of a notice indicating the alterations."
29. §108 of the Principal Act is amended by inserting the words "or any indenture of apprenticeship" after the word "exhibited" in Sub-division (d) thereof.

30. §113 of the Principal Act is amended by inserting the words "indenture of apprenticeship" before the word "book" in Sub-division (d) thereof.

31. §125, Sub-section (1), Sub-division (c), of the Principal Act is amended so as to read as follows :

"(c) Exercising the functions conferred upon it by §96."

32. Sub-section (2) of §128 of the Principal Act is amended by striking out the words "and referred to in Sub-division ii. of §105" in the third line thereof.

33. §136 of the Principal Act is amended by striking out "Sub-section iii." in Sub-division (a) thereof.

34. §139 of the Principal Act is amended by striking out Sub-section (2) thereof.

35. §140 of the Principal Act is amended by adding thereto the following Sub-sections :

"(2) The Minister shall publish in the *Gazette* a notice indicating the alterations.

(3) The determination as altered shall come into force on the 14th day after such publication."

36. §164 of the Principal Act is amended by inserting after the word "Act" in the first line thereof the following : "and, notwithstanding anything in this Act, all amounts recoverable under or by virtue of this Act."

37. The Third Schedule to the Principal Act is amended—

i. By inserting under the words "Third Schedule" the words "Registration Fees" ;

ii. By inserting after the word "used" in the eighth line thereof the following : "such power not being under one-half horse-power nominal" ; and

iii. By adding the following at the end thereof : "For the purposes of this Schedule, in computing the number of persons employed in a factory, no son or daughter of the occupier thereof shall be counted."

#### *Miscellaneous.—Additional Provisions.*

38. (1) The notice required by §19, Sub-division (c), of the Principal Act, shall state the times for starting work and for ceasing work for the day, and the times for commencing and for ending any interval for meals ; and in any case where the same times do not apply to all the employees the notice shall be prepared accordingly.

(2) Any time during which an employee works before the time for starting work, or after the time for ceasing work, or during the interval for meals, which applies to him, as such time is stated in the notice referred to in Sub-section (1) of this Section, shall be regarded as extra working time for the purposes of §65 of the Principal Act, and shall be paid for accordingly.

39. Every occupier of a factory shall cause such space to be kept clear in the vicinity of any engine, machine, or machinery therein as is sufficient to enable any person to work, attend to, and clean the same without risk or injury to himself or any other person.

Penalty, £20.

40. Every employer, in any process, trade, business, occupation, or calling, or group or part, for which a Board has made a determination under §93 of the Principal Act, who during any week employs any persons beyond the maximum number of hours fixed as regards such persons respectively under Sub-division iii. of the said Section, or before the starting times or after the finishing times (if any) fixed as regards such persons under Sub-division ix. of the said Section, shall, not later than Tuesday in the next following week, give to the Chief Inspector a notice in writing stating—

(a) The names of all persons so employed in the first mentioned week ;

(b) The days in that week on which such persons were respectively so employed ; and

(c) The length of time during which such persons were respectively so employed on such days respectively.

Penalty : For the first offence, £5 ; and for any subsequent offence, £20.

41. (1) Notwithstanding anything contained in the Principal Act or this Act—

i. No person shall, after the passing of this Act, be capable of entering into indentures of apprenticeship or becoming apprenticed after he attains the age of 20 years ; and

ii. When any person who becomes apprenticed after the passing of this Act, except pursuant to §97, Sub-section (1), of the Principal Act, attains the age of 21 years his indentures of apprenticeship shall no longer bind the parties thereto, except as regards anything theretofore done or omitted.

(2) This Section shall only apply in respect to persons apprenticed to a process, trade, business, occupation, or calling, or part thereof, for which a Board is appointed.

42. (1) Every indenture of apprenticeship entered into after the passing of this Act shall be in duplicate, and the employer shall, upon the signing of the indenture, deliver one part thereof to the apprentice.

(2) Every indenture of apprenticeship entered into after the passing of this Act shall contain a covenant that the employer will instruct the person thereby apprenticed in the particular process, trade, business, occupation, or calling carried on by the employer.

(3) The requirements of this Section are, in addition to the requirements of §§93 and 97 of the Principal Act and to the requirements of §41 of this Act.

(4) This Section shall only apply in respect of persons apprenticed to a process, trade, business, occupation, or calling, or part thereof, for which a Board is appointed.

Penalty, £10.

43. (1) The Governor may, by an Order published in the *Gazette*, prescribe a form of indenture of apprenticeship which shall be so framed as to be adaptable to any process, trade, business, occupation, calling, or part or parts of any of them.

(2) After the expiration of one month from the publication of such Order no employer shall take an apprentice to any process, trade, business, occupation, or calling, or part or parts thereof for which a Board is appointed, except under indentures in the form prescribed by such Order ; and indentures contravening the provisions of this Section shall be void.

(3) Any notice under §93 of the Principal Act prescribing a form of indenture shall, after the expiration of the said month, have no effect as to any indentures thereafter entered into.

(4) Notwithstanding anything in this Section a Board may, by a notice made and published under the said §93, prescribe how any blank spaces in the form prescribed under this Section are to be filled up, and in that case an indenture shall be deemed not to be in the form prescribed by the Governor under this Section unless the blank spaces are so filled up.

Penalty, £20.

44. If a subsequent Board adopts, as its determination, a determination of the previous Board, with or without alterations, the requirements of Sub-section (1) of §105 of the Principal Act as to publication shall be deemed to be complied with upon publication by the Minister in the *Gazette* of a notice indicating that the Board has adopted the determination of the previous Board, or what alterations have been made, as the case may be.

45. (1) No employer shall dismiss from his employment any employee in consequence of—

- i. Such employee becoming or acting in the capacity of a member of any Board ;
- ii. Anything done by such employee as or in the capacity of a member of a Board ;
- iii. Anything arising out of or consequent upon such employee being or acting in the capacity of a member of a Board ;
- iv. Such employee becoming a party to, or being summoned or called as a witness in, any proceedings under the Principal Act or this Act ; or
- v. Any evidence given or anything said or done or omitted to be said or done by an employee as a party to, or as a witness in, any such proceedings.

(2) In any proceedings for an offence against this Section, if it is proved that an employee was dismissed from any employment under the defendant within two months after any of the acts or matters mentioned in Sub-section (1) hereof, the burden of proving that such dismissal was not in consequence of such act or matter shall be upon the defendant.

(3) Proceedings for an offence against this Section may be commenced and prosecuted either by the employee alleged to have been dismissed or by an inspector ; and in either case, if the defendant is convicted, the dismissal shall be deemed to be a wrongful dismissal, and the Special Magistrate or Justices may, in addition to any penalty for the offence, award such sum as he or they deem proper by way of damages and costs, which sum may be recovered by the employee, or by the inspector on his behalf, in the same way as a penalty imposed for an offence against the Principal Act.

Penalty, £20.

46. (1) Whenever in the Principal Act or this Act it is provided that anything may be recovered in a " court of competent jurisdiction " the same may be recovered by action in such a court, or may be recovered by complaint to be heard and determined in a summary way before any Special Magistrate or any two Justices of the Peace under the Ordinance No. 6 of 1850, or any Act for the time being in force relating to the duties of Justices of the Peace as to summary proceedings.

(2) Such Magistrate or Justices may make any Order as to the costs of and incidental to the complaint which he or they think proper.

(3) All orders made by such Magistrate or Justices on the hearing of the complaint may be enforced as provided by §166 of the Principal Act, or by the said Ordinance or any other Act relating to the duties of Justices of the Peace as to summary proceedings.

47. (1) The Special Magistrate or Justices by whom any person is convicted of any offence against this or the Principal Act or any regulation thereunder may, in addition to imposing a fine or penalty or other punishment for such offence, order that the offender shall pay to any person in respect of whom such offence was committed, and who is or has been in the employment of such offender, any sum which, to the satisfaction of the Magistrate or Justices, is shown to be due from the said offender to the said person for wages, salary, payment for overtime, or tea money, or otherwise in connection with such employment.

(2) Any sum ordered to be paid under this Section may be recovered by the said person, or by an inspector on his behalf, in the same manner as a penalty imposed under the Principal Act for an offence against that Act; and if any fine or penalty is imposed for the offence mentioned in Sub-section (1) hereof, such sum shall, for the purposes of recovering the same, be treated as part of such fine or penalty.

(3) §166 of the Principal Act shall apply in respect of any sum ordered to be paid under this Section, as if such sum were a pecuniary penalty under the Principal Act.

48. (1) A majority consisting of at least three-fifths of the employers, and a majority consisting of at least three-fifths of the employees in any trade, in any locality defined in the agreement hereinafter mentioned, may enter into an agreement with respect to all or any of the matters which would be within the jurisdiction of a wages board if appointed for the said trade, and may transmit such agreement to the Minister.

(2) Upon receipt of the agreement the Minister shall refer the same to the Chief Inspector, who shall thereupon ascertain whether or not it has been signed by a majority of the employers and of the employees respectively as above provided in the said trade in the said locality, and shall report thereon to the Minister.

(3) If the Chief Inspector reports in the affirmative on the question so referred to him, the Minister shall thereupon transmit the agreement to the Court of Industrial Appeals.

(4) The Court shall hear any person to be affected by the proposed agreement, either in support of or in opposition to such agreement, and consider whether or not the agreement—

(a) Is consistent with the provisions of the Principal Act and this Act;

(b) May lawfully be observed and enforced; and

(c) Should be confirmed;

and shall report its decision on those questions to the Minister.

(5) If the decision of the Court is in the affirmative on both the questions mentioned in Sub-section (4) hereof, the agreement—

(a) Shall forthwith be published by the Minister in the *Gazette*;

(b) Shall come into force on the 14th day after such publication, or on a later date (if any) fixed by the Court, of which date notice is given in the *Gazette* at the time of such publication; and

(c) Shall thereafter be deemed to be and shall have the same force and effect, as regards all employers and employees in the said trade in the said locality, as if it were the determination or other act of a wages board ; and

(d) Shall remain in force until altered by a later agreement between employers and employees in the said trade, and in the said locality, published under this Section, or by a determination or other act of a wages board appointed for the said trade, and having jurisdiction to make a determination to apply in the said locality.

(6) The provisions of this Section shall apply to any trade except a trade for which a wages board is by the Principal Act or this Act required to be appointed or as to which a resolution of both Houses of Parliament has, before or after the passing of this Act, been passed approving of the appointment of a Board.

(7) In this Section the word " trade " includes any process, trade, business, occupation, or calling.

49. A copy of every determination or order of whatsoever character made or to be made by any Board or Chairman, and all correspondence connected with the making of any such determination or order, shall forthwith be forwarded to and filed in the office of the Chief Inspector, and be open to inspection by any person interested in or affected by any such determination or order.

#### *Wages Boards for Localities Outside the Metropolitan Area.*

50. (1) A resolution may be passed by both Houses of Parliament approving of the appointment of a Wages Board for any process, trade, business, occupation, or calling, or for any specified part or parts thereof, or for any group of processes, trades, businesses, occupations, or callings, within any locality or area outside the metropolitan area, specified in such resolution.

(2) Thereupon such Board shall be appointed, and Parts VIII., IX., and X. of the Principal Act (except §§153 to 156, inclusive), as amended by this Act or any other Act, the provisions of this Act from and including §40 to the end hereof (except §48), and all other provisions of the Principal Act and any Act amending that Act which may be necessary for giving effect to the said resolution, or to give effect to or enforce any determination or other Act of the said Board, shall apply to the said locality or area.

(3) Any determination of the said Board shall, subject to anything therein expressed, apply to all employers and employees who are engaged in the particular process, trade, business, occupation, or calling, or part or group within the said locality or area.

## V. Switzerland

### I. CANTON OF BASLE TOWN

*Beschluss des Regierungsrates betreffend Abänderung der Vollziehungsverordnung vom 23 April, 1910, zum Gesetz betreffend Errichtung einer Staatlichen Arbeitslosenkasse und betreffend Unterstützung privater Arbeitslosenkassen vom 16 Dezember, 1909. (Vom 5 August, 1911.)*

**Decision of the State Council with reference to the amendment of the administrative regulations of 23rd April, 1910, for carrying out the Act relating to the creation of a State Unemployment Fund, and relating also to the subsidising of private unemployment funds, dated 16th December, 1909. 5th August, 1911.**

The State Council of the Canton of Basle Town prescribes as follows :—

§12, paragraph 2, of the administrative regulations of 23rd April, 1910,\* for carrying out the Act relating to the creation of a State Unemployment Fund and to the subsidising of private Unemployment Funds, of 16th December, 1909,† is amended from 1st November, 1911, taking from that time the following form :

§12, par. 2.

The daily allowance, without distinction of occupation and during any season of the year, shall be as follows :—

(a) For single insured persons, earning a daily wage of—

Up to Frs. 4.50 .. .. . Frs. 1.80.

Above „ 4.50 to 5.50 .. .. . „ 2.00.

„ „ 5.50 .. .. . „ 2.20.

(b) For insured persons with others depending upon them, and earning a daily wage of—

Up to Frs. 4.50 .. .. . Frs. 2.40.

Above „ 4.50 to 5.50 .. .. . „ 2.60.

„ 5.50 .. .. . „ 2.80.

2. *Beschluss des Regierungsrates betreffend Abänderung der Vollziehungsverordnung vom 23ten April, 1910, zum Gesetz betreffend Errichtung einer staatlichen Arbeitslosenkasse und betreffend Unterstützung privater Arbeitslosenkassen vom 16 Dezember, 1911. (Vom 13 Dezember, 1911.)*

**Decision of the State Council relating to the amending of the administrative regulations of 23rd April, 1910,\* in pursuance of the Act relating to the creation of a State Unemployment Fund and to the subsidising of private unemployment funds, of 16th December, 1909.† (Dated 13th December, 1911.)**

The State Council of the Canton of Basle Town has resolved :

§6 (d) of the Administrative Regulations of 23rd April, 1910 (in their form as issued on 3rd August, 1910‡) in pursuance of the Act relating to the creation of a State Unemployment Fund and to the subsidising of private unemployment funds, of 16th December, 1909,† shall be supplemented as follows :—

“(d) Permanent occupations outside the Canton of Basle Town, even though the insured person retains his domicile in the Canton.”

3. *Gesetz betreffend Aenderung der §§13, 49, und 50 des Gesetzes betreffend die Dienstverhältnisse und die Besoldungen der Beamten Angestellten und Arbeiter des Kantons Basel-Stadt vom 8 Juli, 1909 (Vom 14 Dezember, 1911.)*

**Act relating to the amendment of §§13, 49 and 50 of the Act relating to the conditions of service and the remunerating of the officials, employees and workers of the Canton of Basle Town, of 8th July, 1909\*\*. (Dated 14th December, 1911.)**

I. §13 of the Act relating to the conditions of service and the remunerating of officials, employees, and workers of the Canton of Basle Town, of 8th July, 1909, shall be supplemented as follows :

\* Text E.B. V., p. 312.

† Text E.B. V., p. 155, No. 2.

‡ Text E.B. VI., p. 227, No. 4.

\*\* Extract E.B. IV., p. 278, No. 1.



"For the workers in the slaughterhouse and cattle yards, where the service so requires, the daily working hours may, in deviation from paragraph 2, in accordance with the special regulations issued by the State Council, be extended to 11 hours, subject to the condition that they are reduced to a corresponding extent on other days of the same week. Should the weekly working hours exceed 53, the overtime shall be remunerated in accordance with §43."

II. §49 of the same Act shall be modified as follows :

"In industrial undertakings overtime in connection with haymaking and harvesting shall not be specially paid for."

III. §50, paragraph 1, of the same Act shall read as follows :

"The workers shall receive payment additional to the hourly wages (§49) for work performed in the water ; they shall further receive the special payments for work performed at a distance, outside the radius of their ordinary work-places, where the administration provides no other compensation for the disadvantage of distance, and the same shall apply to other arrangements of service where the conditions are of an extraordinary nature."

IV. This Act shall be published ; it is subject to approval by the Referendum, and shall come into force and effect forthwith.

4. *Vollziehungs-Verordnung zum Gesetz betreffend das ständige staatliche Einigungsamt vom 9 November, 1911.\** (Vom 10 Februar, 1912.)

**Executive Order, dated 10th February, 1912, in pursuance of the Act relating to the permanent Board of Conciliation, of 9th November, 1911.\***

The State Council of the Canton of Basle Town issues the following executive order in conformity with §§2, 27 (paragraph 1), 34, and 39 of the Act in regard to the permanent official Board of Conciliation, dated 9th November, 1911.

#### *I.—General.*

1. The official Conciliation Board shall submit to the Department of the Interior its proposals, suggestions, informations, opinions, and reports intended for the State Council. [§4 (d) and (f) of the Act.]

These petitions shall be handed on to the State Council by the Department of the Interior, accompanied by a report and proposal.

The Conciliation Board shall submit an annual report of business done by the middle of each February. [§4 (f) of the Act.]

2. For the purpose of obtaining clerical assistance, attendance, and premises, the Conciliation Board shall, if necessary, apply to the Department of the Interior. [§2, paragraph 2, of the Act.]

3. The documents and minutes of the Conciliation Board shall be separately preserved and recorded at the Department of the Interior, which shall come to an agreement with the former in regard thereto [§2, paragraph 2, and §9 of the Act, and §10 of this Order.] They shall be open to inspection by the permanent members of the Conciliation Board and their deputies, as well as by the Secretary of the Conciliation Board and his Deputies, and may be temporarily used by them for official purposes. Other persons shall only be permitted to inspect the said documents and minutes, on production of a written permit by the President of the Conciliation Board.

\* Text E.B. VII., p. 95.

This is without prejudice to the regulations in regard to delivery of records to the State Record Office.

4. When the intervention of the Conciliation Board in accordance with §3, paragraph 2, or §8, paragraphs 1 and 3, has been suggested by the State Council itself, or by a third party, the said Council shall first request the Department of the Interior to furnish a report and proposal. This procedure, however, may be dispensed with in very urgent cases.

The Department of the Interior shall also be empowered to propose the intervention of the Conciliation Board of its own accord.

## *II.—Remuneration and Accounts.*

5. The permanent members of the Conciliation Board and their Deputies, the expert assessors of the Conciliation Board and their Deputies, the Permanent Secretary of the Conciliation Board and his Deputy [§§10, 11, and 12 of the Act] shall receive as remuneration [§2, paragraph 1, of the Act] 5fr. for each half-day's attendance. The member acting permanently in the capacity of President shall further receive a yearly remuneration of 200fr., while the other two permanent members shall receive a yearly remuneration of 100fr., and the Permanent Secretary 150fr. yearly.

6. Witnesses [§§18 and 19 of the Act] who have incurred expenses or who have lost part of their wages through attendance, shall be entitled to suitable compensation.

Experts [§§18 and 19 of the Act] shall be entitled to suitable compensation in regard to trouble, loss of time, and any expenses which they may have incurred.

The compensation [§2, paragraph 1, of the Act] shall in each case be fixed by the Conciliation Board.

7. The right of disposal in regard to the credits granted by the Grand Council for covering the expenses of the Conciliation Board [§2, paragraph 1, of the Act] shall rest with the Conciliation Board as controlling medium.

This is without prejudice to the regulations of §4 of the Act relating to the organisation and order of business of the State Council, with reference to the power of the State Council and the Grand Council.

8. The accounts of the Conciliation Board shall be kept by the Secretary of the Conciliation Board in conformity with the directions of the Finance Department, under the direct supervision of the President of the Conciliation Board.

Payments by the State Exchequer shall be endorsed by the President of the Conciliation Board and receipted by the Secretary in his capacity of accountant.

Disciplinary Fines [§§35 and 36 of the Act and §25 of this Order] shall be paid to the State Exchequer by the party fined, who must produce at the same time the order in reference thereto. The State Exchequer shall immediately inform the Secretary of the Conciliation Board in cases falling under §35 of the Act, and the State-Chancery in cases falling under §36 of the Act, of each payment of fines.

The Conciliation Board shall submit a yearly account to the Finance Department by the end of January of each year, to be sent to the State Council.

## *III.—Private Conciliation Boards.*

9. Petitions addressed to the State Council for the admission of Private Conciliation Boards, Courts or Arbitration, and similar organs in the place of the official Conciliation Board, in conformity with §5 of the Act, shall be

submitted to the Department of the Interior by the interested Trade Associations of employers and workers, accompanied by the respective terms of the contract.

These petitions shall be forwarded to the State Council by the Department of the Interior, together with a report and proposal.

The same procedure shall be adopted should the terms of the contract, upon which the State Council has based the permission granted, have been altered or replaced by others.

*IV.—Depositing collective arrangements in the Archives of the Official Board of Conciliation.*

10. The deposit of collective agreements of all kinds, relating to the working conditions between employers and workers, in the Archives of the Conciliation Board, shall be effected at the Department of the Interior [§3 of this Order] in accordance with §9 of the Act.

The depositing of such agreements, either in the original or in certified copies, shall take place immediately after they have been concluded between the parties. The said depositing shall take place in the following manner, either—

(a) through the agency of the Secretary of the Conciliation Board, should this authority have been instrumental in bringing about a settlement ;

(b) or by the contracting parties themselves, or by the respective private Conciliation Board [§5 of the Act and §9 of this Order], when the settlements are the outcome of private agreements, or proceedings before private Conciliation Boards, Courts of Arbitration, or similar organisations. In such case the Department of the Interior shall immediately inform the Conciliation Board that such deposit has been made.

A similar provision shall apply to alterations of and additions to such arrangements.

The Department of the Interior shall, from time to time, inform the State Council, through the Grand Council, when making the official report, of the documents deposited during the course of the year.

*V.—Proceedings and Procedure.*

11. Should one of the permanent members of the Conciliation Board be unable to attend, the President shall cause one of the deputies to attend the proceedings of the Conciliation Board [§§10, 11, and 12 of the Act], taking into account the nature of the collective dispute, and make such selection of deputies, as far as possible, in regular rotation.

Deputies who have been attending the proceedings before the Conciliation Board shall also be called upon to attend, if possible, the arbitration proceedings, should such proceedings take place.

12. Should one of the expert assessors of the Conciliation Board be prevented from attending, the President, considering, as far as possible, the wishes of the party, shall cause one of the deputies to attend [§§11 and 23 of the Act] the proceedings of the Conciliation Board.

13. With reference to the convening of permanent members and their deputies—as also of expert assessors and their deputies—to the sittings of the Conciliation Board, the latter shall, as controlling medium, draw up the necessary regulations.

For the purpose of convening the members, etc., the Conciliation Board or its President shall draw up the necessary regulations for every single case.

14. As soon as the necessary preparations for investigating a dispute have been completed [§§14 and 17 of the Act], the President of the Conciliation Board shall, within two days, fix the date of the first sitting for adjusting the said dispute, and shall summon the representatives of the parties [§§14, 15, and 16 of the Act] in writing, either himself or through the Secretary, pointing out, at the same time, the regulations in regard to fines which will be imposed for not complying with the said summons [§35 (e) of the Act]. This summons shall be served on the representatives of the parties at least one day or at most three days previous to the proceedings [§17, paragraph 1, of the Act].

The same regulations shall apply to the first hearing before the Court of Arbitration [§24, paragraph 1, of the Act].

Notice to attend further proceedings before the Conciliation Board or Court of Arbitration shall be given to the representatives of the parties, either in writing or by word of mouth, at the previous proceedings, at the discretion of the Conciliation Board or its President, under observance of the periods fixed for both procedures in §31 of the Act.

15. The first summons of a witness or expert [§§18 and 19 of the Act] to attend proceedings before the Conciliation Board or the Court of Arbitration shall be issued in writing, either by the President of the Conciliation Board himself or through the medium of the Secretary, at least one day or within three days previous to the proceedings, pointing out at the same time the regulations with reference to fines which will be imposed for not complying with the said summons [§35 (f) of the Act].

For consequent summonses of a witness or an expert, the regulations contained in the last paragraph of §14 of this Order shall be applied.

16. Should the attempts of the Conciliation Board to bring about a settlement of a collective dispute have proved abortive, and both parties refuse to submit the said dispute to the Court of Arbitration [§22, last paragraph, of the Act], the Conciliation Board shall immediately inform the Department of the Interior thereof in the public interest, either with or without proposals in regard to the question of instituting proceedings before the Court of Arbitration.

The Department of the Interior shall then submit to the State Council a report and proposal as to whether or not the public interest requires the institution of proceedings before the Court of Arbitration.

17. Should the State Council become aware of infringements of an agreement arrived at before the Conciliation Board, or of a legal decision given by the said Board, and should the Conciliation Board have taken no steps to ascertain and publish the facts, or should the said Board not have been requested by one of the parties to take the necessary steps to this end [§27, paragraph 1, of the Act], it shall decide upon the report and proposal of the Department of the Interior as to whether or not the Conciliation Board shall be compelled to ascertain and publish the facts.

The Department of the Interior shall also be empowered to propose to the State Council, on its own initiative, the intervention of the Conciliation Board.

18. Petitions for extension of time in the proceedings before the Conciliation Board, which the State Council is competent to grant [§31, last paragraph, of the Act], shall be submitted by the Conciliation Board to the Department of the Interior, with or without a proposal.

The Department of the Interior shall pass on these petitions, with a report and proposal, to the State Council.

19. The Secretary of the Conciliation Board shall keep the Minutes of each sitting of the latter.

In regard to proceedings with the representatives of one or both parties, the Minutes shall contain :

(a) the names of the permanent members and their deputies of the Conciliation Board who take part in the proceedings, as well as of those who are absent, either excused or without excuse, and in the case of proceedings before the Court of Arbitration also, of the expert assessors and their deputies, and further of the Secretary and his deputy and the representatives of the parties ;

(b) the demand and offers made by the parties before, during, and at the conclusion of the proceedings ;

(c) the results of the inquiries made by the Conciliation Board (witnesses' and experts' evidence, the contents of experts' reports, result of inspections, contents of documents, etc.), the evidence of witnesses and experts shall be read over forthwith, and the Minutes subsequently signed by the respective witnesses and experts ;

(d) the final result of the proceedings.

The Minutes shall either be read at the conclusion of the sitting, and signed by all the members of the Conciliation Board who had attended the proceedings (permanent members or deputies, assessors, or deputies) and the Secretary, as well as by the representatives of the parties, or shall be submitted for inspection and signature to those persons who are bound to sign the said Minutes, at the latest on the day following.

In regard to discussions of the Conciliation Board which take place with the exclusion of the representatives of the parties, the Minutes shall contain—

(a) the names of the permanent members and their deputies of the Conciliation Board who take part in the proceedings, and, in the case of proceedings before the Court of Arbitration also, of the expert assessors or their deputies, as well as of the Secretary and his deputy ;

(b) an indication of the subject of the discussion, proposals which have been put to the vote, and the resolutions.

The Minutes must be read at the conclusion of the sitting, and must be immediately signed by all the persons taking part in the proceedings.

The Conciliation Board, in its capacity as controlling medium, shall draw up any further regulations which may be required in regard to the keeping of the Minutes.

20. Immediately after the conclusion of proceedings, any adjustment or settlement which may have been effected before the Conciliation Board [§21, paragraph 3, of the Act], as well as the valid award given by the Conciliation Board [§25, paragraphs 3 and 4, of the Act], shall be drawn up by the Secretary of the Conciliation Board in three copies, of which one is intended for each of the parties, and one copy for the Archives of the Conciliation Board.

All three copies shall be signed by the President and the Secretary of the Conciliation Board, as also by the representatives of the parties.

21. All publications of the Conciliation Board [§32 of the Act] shall contain—

(a) the names of the permanent members and their deputies, and, in the case of proceedings before the Court of Arbitration, also of the expert assessors or their deputies, of the Secretary or his deputy, and of the representatives of the parties who have taken part in the proceedings ;

(b) in the cases of §21, last paragraph, of the Act, the fact that an agreement has been arrived at, with its contents, or the fact of the abortive result of the proceedings before the Conciliation Board, indicating at the same time their essential reasons ;

(c) in the cases of §25, paragraph 1, of the Act, the fact that the necessary conditions are wanting for carrying through the proceedings before the Court of Arbitration, indicating at the same time the essential reasons ;

(d) in the cases of §25, paragraphs 2 to 5, of the Act, according to the matter in question ; the contents of the award ; the fact as to whether the award has become valid or not ; or the fact that the proceedings before the Court of Arbitration have proved abortive, indicating at the same time the essential reasons ;

(e) in the cases of §27, paragraph 1, of the Act (infringements of agreements and awards), the facts ascertained by the Conciliation Board ;

(f) the signatures of the President and the Secretary of the Conciliation Board.

22. The parties shall be entitled to receive three free copies of the publications [§21 of this Order].

The delivery of further copies of the publications, as well as the delivery of copies of agreements and awards [§20 of this Order] shall be effected upon payment of the approximate cost price at the request of the parties.

The delivery of copies of Minutes [§19, paragraphs 2 and 3, of this Order], as well as of copies of agreements and awards [§20 of this Order], shall be effected upon payment of a certain fee to be paid to the State Exchequer at the request of the parties. The consent of the President of the Conciliation Board is required if the delivery of copies of Minutes is desired.

The Conciliation Board, in its capacity as controlling medium shall draw up the necessary regulations and fix the fees in regard thereto. These fees shall be subject to the approval of the State Council, which shall cause them to be communicated to the Department of the Interior.

23. With reference to every collective dispute investigated by the Conciliation Board, the latter shall immediately inform the Department of the Interior, through the medium of the State Council, of the final result of the proceedings in a summary manner.

24. Appeals against orders made and decisions given by the Conciliation Board on account of the illegal intervention, or on account of the illegal refusal to intervene, of the Conciliation Board, on account of essential defects in the procedure [§33 of the Act], shall be lodged in writing with the Department of the Interior by the parties, within three days from the day on which the respective order or decision was made or given during a discussion between the Conciliation Board and the representatives of the parties, or conveyed to them by word of mouth, or conveyed to the parties in writing.

These appeals shall be passed on to the State Council by the Department of the Interior, accompanied by a report and proposal, after the said Department of the Interior has received the written opinion of the Conciliation Board.

*VI.—Orders in regard to Fines.*

25. Orders for the payment of fines by the Conciliation Board and the State Council [ §§35 and 36 of the Act, and §8, paragraph 3, of this Order] shall be conveyed in writing to the person fined. The orders for the payment of fines imposed by the Conciliation Board thus conveyed shall also make it clear that the person fined is entitled to the right of appeal in accordance with §38 of the Act.

Appeals against fines imposed by the Conciliation Board shall be lodged by the person fined with the Department of the Interior within three days, reckoned from the day on which the order was received.

These appeals shall be passed on to the State Council by the Department of the Interior, accompanied by a report and proposal, after the said Department of the Interior has received the written evidence of the Conciliation Board.

*VII.—Final Regulations.*

26. In all cases in which the Department of the Interior shall submit to the State Council a report and proposal, it shall be entitled to examine interested persons, witnesses, and experts.

27. The present Order shall come into force on 1st March, 1912.

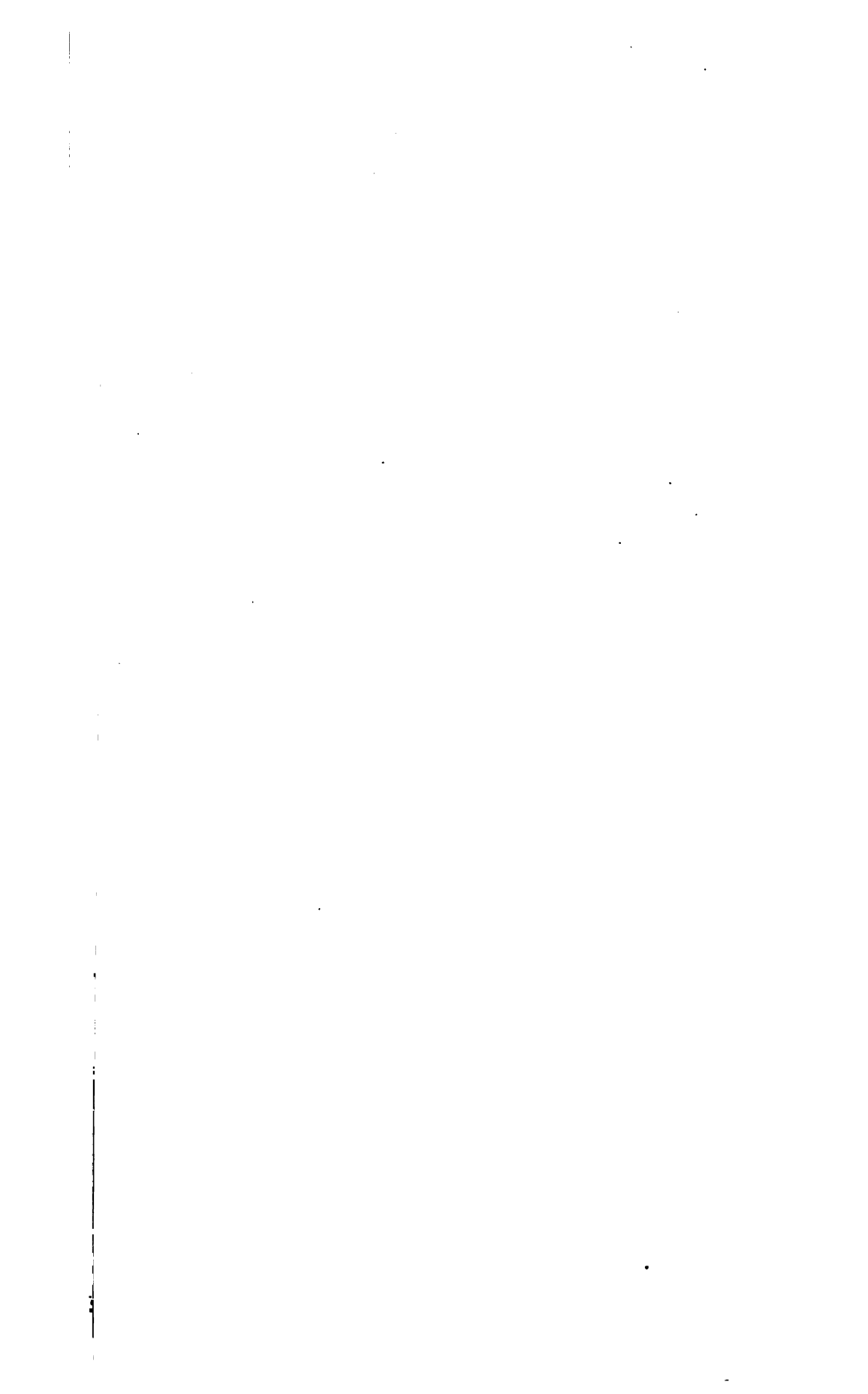
**II. CANTON OF APPENZELL AUSSER-RHODEN.**

1. *Gesetz betr. Naturalverpflegung und Arbeitsnachweis.* Angenommen von der Landsgemeinde am 30 April, 1911.

**Act relating to the supply of provisions and labour exchanges.** (30th April 1911.)

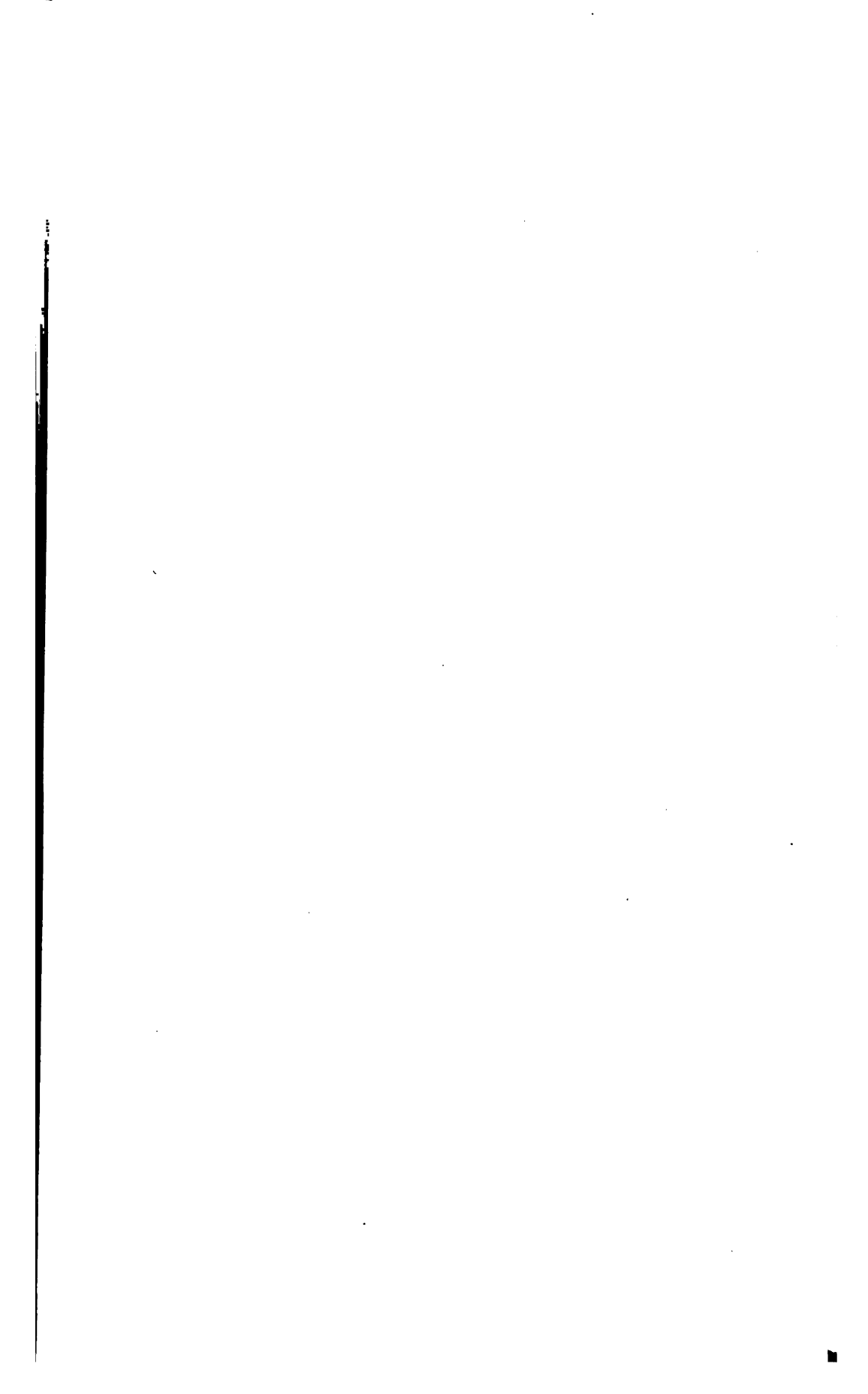
2. *Verordnung zum Gesetz betreffend Naturalverpflegung und Arbeitsnachweis.* Vom Kantonsrat erlassen am 24 November, 1911.

**Order in pursuance of the Act relating to the supply of provisions and labour exchanges.** (24th November, 1911.)











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# Bulletin

OF THE

# INTERNATIONAL LABOUR OFFICE

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[NOTE.—The German, French, and English editions of the *Bulletin* are referred to as G.B., F.B., and E.B. respectively.]

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## National Labour Legislation

### 1. LAWS AND ORDERS

#### I. United States of America

**An Act to provide for a tax upon white phosphorus matches, and for other purposes.** Approved 9th April, 1912.

1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that for the purposes of this Act the words "white phosphorus" shall be understood to mean the common poisonous white or yellow phosphorus used in the manufacture of matches and not to include the non-poisonous forms or the non-poisonous compounds of white or yellow phosphorus.

2. That every manufacturer of white phosphorus matches shall register with the collector of internal revenue of the district his name or style, place of manufactory, and the place where such business is to be carried on; and a failure to register as herein provided and required shall subject such person to a penalty of not more than 500 dollars. Every manufacturer of white phosphorus matches shall file with the collector of internal revenue of the district in which his manufactory is located such notices, inventories, and bonds, shall keep such books and render such returns in relation to the business, shall put up such signs and affix such number to his factory, and conduct his business under such surveillance of officers and agents as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may, by regulation, require. The bond required of such manufacturer shall be with sureties satisfactory to the collector of internal revenue and in the penal sum of not less than 1,000 dollars; and the sum of said bond may be increased from time to time and additional sureties required at the discretion of the collector or under instructions of the Commissioner of Internal Revenue.

3. That all white phosphorus matches shall be packed by the manufacturer thereof in packages containing 100, 200, 500, 1,000, or 1,500 matches each, which shall then be packed by the manufacturer in packages containing not less than 14,400 matches, and upon white phosphorus matches manufactured, sold, or removed there shall be levied and collected a tax at the rate of 2 cents per 100 matches, which shall be represented by adhesive stamps, and this tax shall be paid by the manufacturer thereof, who shall affix to every package containing 100, 200, 500, 1,000, or 1,500 matches such stamp of the required value, and shall place thereon the initials of his name and the date on which such stamp is affixed, so that the same may not again be used. Every person who fraudulently makes use of an adhesive stamp to denote any tax imposed by this Section without so effectually cancelling such stamp shall forfeit the sum of 50 dollars for every stamp in respect to which such offence is committed.

4. That every manufacturer of matches who manufactures, sells, removes, distributes, or offers to sell or distribute white phosphorus matches without there being affixed thereto an adhesive stamp, denoting the tax required by this Act, effectually cancelled as provided by the preceding Section, shall for each offence be fined not more than 1,000 dollars and be imprisoned not more than two years. Every manufacturer of matches who, to evade the tax chargeable thereon or any part thereof, hides or conceals, or causes to be hidden or concealed, or removes or conveys away, or deposits or causes to be removed or conveyed away from or deposited in any place any white phosphorus matches, shall for each offence be fined not more than 1,000 dollars and be imprisoned not more than two years, or both, and all such matches shall be forfeited.

5. That every person who affixes a stamp on any package of white phosphorus matches denoting a less amount of tax than that required by law shall for each offence be fined not more than 1,000 dollars or be imprisoned not more than two years, or both.

6. That every person who removes, defaces, or causes or permits or suffers the removal or defacement of any such stamp, or who uses any stamp or any package to which any stamp is affixed to cover any other white phosphorus matches than those originally contained in such package with such stamp when first used, to evade the tax imposed by this Act, shall for every such package in respect to which any such offence is committed be fined 50 dollars, and all such matches shall also be forfeited.

7. That every manufacturer of white phosphorus matches who defrauds or attempts to defraud the United States of the tax imposed by this Act, or any part thereof, shall forfeit the factory and manufacturing apparatus used by him and all the white phosphorus matches and all raw material for the production of white phosphorus matches found in the factory and on the factory premises, or owned by him, and shall be fined not more than 5,000 dollars or be imprisoned not more than three years, or both. All packages of white phosphorus matches subject to tax under this Act that shall be found without stamps as herein provided shall be forfeited to the United States.

8. That the Commissioner of Internal Revenue shall cause to be prepared suitable and special stamps for payment of the tax on white phosphorus matches provided for by this Act. Such stamps shall be furnished to collectors who shall sell the same only to duly qualified manufacturers. Every collector shall keep an account of the number and denominate values of the stamps

sold by him to each manufacturer. All the provisions and penalties of existing laws governing the engraving, issuing, sale, affixing, cancellation, accountability, effacement, destruction, and forgery of stamps provided for internal revenue are hereby made to apply to stamps provided for by this Act.

9. That whenever any manufacturer of white phosphorus matches sells or removes any white phosphorus matches without the use of the stamps required by this Act, it shall be the duty of the Commissioner of Internal Revenue, within a period of not more than two years after such sale or removal, upon satisfactory proof, to estimate the amount of tax which has been omitted to be paid, and to make an assessment therefor and certify the same to the collector, who shall collect the same according to law. The tax so assessed shall be in addition to the penalties imposed by law for such sale or removal.

10. That on and after 1st January, 1913, white phosphorus matches, manufactured wholly or in part in any foreign country, shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited. All matches imported into the United States shall be accompanied by such certificate of official inspection by the government of the country in which such matches were manufactured as shall satisfy the Secretary of the Treasury that they are not white phosphorus matches. The Secretary of the Treasury is authorised and directed to prescribe such regulations as may be necessary for the enforcement of the provisions of this Section.

11. That after 1st January, 1914, it shall be unlawful to export from the United States any white phosphorus matches. Any person guilty of violation of this Section shall be fined not less than 1,000 dollars and not more than 5,000 dollars, and any white phosphorus matches exported or attempted to be exported shall be confiscated to the United States and destroyed in such manner as may be prescribed by the Secretary of the Treasury, who shall have power to issue such regulations to customs officers as are necessary to the enforcement of this Section.

12. That every manufacturer of matches shall mark, brand, affix, stamp, or print, in such manner as the Commissioner of Internal Revenue shall prescribe, on every package of white phosphorus matches manufactured, sold, or removed by him, the factory number required under §2 of this Act. Every such manufacturer who omits to mark, brand, affix, stamp, or print such factory number on such package shall be fined not more than 50 dollars for each package in respect of which such offence is committed. Every manufacturer of white phosphorus matches shall securely affix by pasting on each original package containing stamped packages of white phosphorus matches manufactured by him a label, on which shall be printed, besides the number of the manufactory and the district in which it is situated, these words:

Notice.—The manufacture of the white phosphorus matches herein contained has complied with all requirements of law. Every person is cautioned not to use again the stamps on the packages herein contained under the penalty provided by law in such cases." Every manufacturer of white phosphorus matches who neglects to affix such label to any original package containing stamped packages of white phosphorus matches made by him or sold or removed by or for him, and every person who removes any such label so affixed from any such original package, shall be fined not more than fifty dollars for each package in respect of which such offence is committed.

13. That if any manufacturer of white phosphorus matches, or any importer or exporter of matches, shall omit, neglect, or refuse to do or cause to be done any of the things required by law in carrying on or conducting his business, or shall do anything by this Act prohibited, if there be no specific penalty or punishment imposed by any other Section of this Act for the neglecting, omitting, or refusing to do, or for the doing or causing to be done, the thing required or prohibited, he shall be fined one thousand dollars for each offence, and all the white phosphorus matches owned by him or in which he has any interest as owner shall be forfeited to the United States.

14. That all fines, penalties, and forfeitures imposed by this Act may be recovered in any court of competent jurisdiction.

15. That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may make all needful regulations for the carrying into effect of this Act.

16. That §§3,164 to 3,177, 3,179 to 3,243, 3,346 as amended, 3,429 as amended, 3,445 to 3,448, 3,450 to 3,463, all inclusive, of the Revised Statutes of the United States, and all other provisions and penalties of existing law relating to internal revenue so far as applicable, are hereby made to extend to and include and apply to the taxes imposed by this Act and to the articles upon which and to the persons upon whom they are imposed.

17. That this Act shall take effect on July 1st, 1913, except as previously provided in this Act ; and except as to its application to the sale or removal of white phosphorus matches by the manufacturers, as to which it shall take effect on January 1st, 1915.

## II. British Colonies

### AUSTRALIA.

#### I. VICTORIA.

1. **An Act to amend the Factories and Shops Acts.** 4th January, 1910. (9 Edw. VII., No. 2241.)

1. This Act may be cited as the Factories and Shops Act 1909, (No. 2), and shall be read and construed as one with the Factories and Shops Act 1905. (hereinafter called the Principal Act), which Act and any Act amending the same and this Act may be cited together as the Factories and Shops Acts.

2. In §5 of the Principal Act in the definition of " factory or work-room " after the word " brickyard " the following words " and any office, building, or place where electricity is generated for the supply of heat or light or power, or where coal gas is made " are hereby inserted.

3. Every inspector shall for the purposes of the execution of the Factories and Shops Acts have power to do all or any of the following things, namely :—

(a) To enter, inspect, and examine at all reasonable times by day or night any place whatsoever when he has reasonable cause to believe that any person is employed therein at work for which a Special Board has fixed prices or rates, and

(b) To require the production of all pay-sheets or books wherein an account is kept of the actual wages (whether by piece-work or not) paid to any individual employee in any place to which the determination of any Special Board applies, and to take copies or extracts from the same ; and

(c) To examine, either alone or in the presence of the employer, his agent or servant, with respect to matters under this Act, every person whom the inspector has reasonable cause to believe to be or to have been within the preceding two months employed at work for which a Special Board has fixed prices or rates, and to require such person to be so examined, and to sign a statutory declaration as to the truth of any statements made by him as to the matters respecting which he is so examined.

4. In Sub-section (1) of §63 of the Principal Act for the words " sixteen years " the words " eighteen years " are hereby substituted.

5. At the end of Sub-section (2) of §75 of the Principal Act the following words are hereby added, namely :—" including (a) the place or locality where work is to be done, (b) the hour of the day or night when work is to be done, (c) whether more than six consecutive days' work is to be done, (d) the time of beginning and ending work upon each day, and the fixing of a higher rate to be paid for any hour or fraction of an hour worked other than the hours fixed for any day, (e) whether the work is casual, namely, to be for a day or less than a day. A Special Board may, as regards work to be done on a Sunday or public holiday, fix special prices or rates."

6. The provisions of §75 of the Principal Act (as amended by any of the Factories and Shops Acts) enabling the Governor in Council to appoint Special Boards are hereby extended so as to enable the Governor in Council (after a resolution has been passed by both Houses of Parliament) to appoint a Special Board to consider and determine, under pursuant to and for the purposes of the Factories and Shops Acts, the lowest prices or rates which may be paid to any person or persons or classes of persons :—

(1) Wheresoever employed—

(a) in any business or occupation connected with the installation of electrical fittings, appliances, motors, and heaters, including the laying of wires ; or

(b) in the business or occupation of an undertaker ; or

(c) in the occupation of a fireman, boiler attendant, or engine-driver in connection with the use of steam boilers or steam engines other than steam boilers or steam engines connected with mines ; or

(d) in the process, trade, business, or occupation of a watch or clock maker, including repairers ; or

(e) in the occupation of a lift attendant ; or

(f) in the occupation of a fireman, boiler-attendant, or engine-driver in connection with a steam engine or steam boiler in or about mines of every kind ; or

(g) in the business or occupation (other than fireman, boiler attendant or engine-drivers) of mining for—

(a) gold ;

(b) coal ; or

(c) metals or minerals other than gold or coal ; or

(2) Wheresoever employed (or under §145 of the Principal Act deemed to be employed) in any business whatsoever usually carried on in a shop of a class or kind included in the Fourth Schedule to the Principal Act.



7. (1) One or more Special Boards may under the last preceding Section be appointed in the business or occupation of mining as aforesaid for—

- (a) gold ;
- (b) coal ; or
- (c) metals or minerals other than gold or coal.

(2) Notwithstanding anything contained in §101 of the Principal Act the Governor in Council may also define the area or locality in the State to which the determination of a Special Board so appointed shall apply.

8. Every Special Board appointed in pursuance of this Act shall have and may exercise all or any of the powers conferred on Special Boards by the Factories and Shops Acts.

9. In §90 of the Principal Act after the words "*pro rata* amount of such price or rate" the following words are hereby inserted, "or than such a price or rate as may be fixed for casual labour," and for the words, "male employee over the age of sixteen years," the word "employee" is hereby substituted.

10. When in the Factories and Shops Acts or any regulations thereunder the number of the hours of work per week or the overtime rates of pay are fixed for any class or classes of workers, a Special Board, when exercising any of the powers conferred by §90 of the Principal Act as amended by this Act, instead of fixing the number of working hours per week or overtime rate for the class or classes of workers to be affected by the determination of such Board fixed by the Factories and Shops Acts, may fix a different number of working hours or overtime rate as the case may be.

11. In Sub-section (1) of §119 of the Factories and Shops Act, 1905, the words "employed in any process, trade, or business, or for wholly or partly preparing or manufacturing any articles as aforesaid," and the words "in any process, trade, or business, or in so preparing or manufacturing any such articles," are hereby repealed.

12. A Court of Petty Sessions or two or more Justices, in addition to imposing a penalty for a contravention of any of the provisions of the Factories and Shops Acts, or the regulations made thereunder, or of a determination of a Special Board, may order the offender to pay to any person in respect of whom he has been convicted of a contravention as aforesaid, and who is or has been in his employ, such sums for arrears of pay or overtime or tea money (for any period not exceeding twelve months), as the Court or Justices may consider to be due to such person, and any such sum may be recovered by distress, and in default of payment the offender shall be liable to imprisonment for a term not exceeding three months with or without hard labour.

13. In the last paragraph of §128 of the Principal Act the words "in the Metropolitan District (as hereinafter described)" are hereby repealed.

14. In any shire or part of a shire, and in any city, town, or borough outside the Metropolitan district, flower shops, hairdressers' shops, and bakers' shops shall not be counted by the municipal clerk either for or against any petition in favour of closing for a half-holiday on Saturday, provided that when any by-law or regulation has been made requiring shops to close on Saturday in any such municipal district, or part shops of the classes aforesaid shall be closed on Wednesday or Saturday at one o'clock as the occupiers may individually decide.

15. In Sub-section (5) of §132 of the Principal Act the words "is presented to him by any petitioner or" are hereby repealed.

16. (1) For the purposes of the Factories and Shops Acts the Town of Geelong, the Boroughs of Geelong West and Newtown and Chilwell, and the Moorpanyal Riding of the Shire of Corio shall form one district to be called the Geelong district.

(2) The Governor in Council may make regulations to have effect in and throughout the whole of such Geelong District providing for any of the purposes for which a municipal council is by the Factories and Shops Acts empowered to make by-laws.

(3) No such regulation shall be made unless a petition therefor has previously been addressed to the Governor in Council and forwarded to the Minister.

(4) Such petition shall be signed by a majority of all the shopkeepers keeping shops within such district of the classes or class of shops to be affected other than those mentioned in the fourth schedule to the Principal Act, and other than shopkeepers keeping flower shops, hairdressers' shops, or bakers' shops.

(5) It shall be the duty of the municipal clerk of each municipal district to which any petition relates, on such petition being referred to him by the Minister, to certify how many of the persons signing such petition are shopkeepers keeping shops within such municipal district of the classes or class of shops to be affected by the regulation desired by such petition, and also to state and certify the total number of shopkeepers keeping such classes or class of shops within such municipal district.

(6) Where the Governor in Council has for the Geelong District made any regulation under this Section, then any provisions to the contrary of any by-law previously or subsequently made by the council of any municipal district included in the Geelong District, and any provisions to the contrary of any regulation previously made by the Governor in Council, or any permission obtained which are or is inconsistent with such regulation shall thereupon be deemed to be of no force or effect whatever.

(7) Notwithstanding any petition received by the Minister for the amendment or repeal of any regulation made by the Governor in Council under the provisions of this Section, such regulation shall remain in force for not less than six months from and after the date of its publication in the *Government Gazette*.

17. In §144 of the Principal Act the words "to or from a factory work-room or shop" are hereby repealed.

18. In Sub-section (3) of §146 of the Principal Act the words "under sixteen years of age or woman or girl" are hereby repealed.

19. Notwithstanding anything contained in paragraph (a) of §162 of the Principal Act an information may be laid at any time within six months after the commission of any offence against the provisions of §49 of the Principal Act or §8 of the Factories and Shops Act, 1909.

20. In §20 of the Factories and Shops Act, 1905 (No. 2), after the words "one o'clock" in paragraph (b) the following words are hereby added: "(c) or on one or more stated days in each week from any hours fixed by such by-law and permitting such closed shops to re-open on such stated day or days from such other hour or hours as may be fixed by such by-law."

21. In §21 of the Factories and Shops Acts, 1905 (No. 2), after the word "Williamstown" the following words are hereby inserted: "and the Box Hill and Surrey Hills ridings of the Shire of Nunawading and the Shire of Heidelberg, except the Greensborough riding."

22. In the Metropolitan District a shop of any of the classes or kinds mentioned or specified in the Schedule to the Factories and Shops Act, 1905 (No. 2), or in the Schedule to the Metropolitan Saturday Half-Holiday Act, 1909 (other than a butcher's shop), may be kept open till the hour of ten o'clock in the evening on Friday if such shop is to be closed at one o'clock in the afternoon on the following Saturday. Butchers' shops in the Metropolitan District shall be closed at eight o'clock in the evening on any Friday if such shop is to be closed at one o'clock in the afternoon on the following Saturday.

23. At the end of §30 of the Factories and Shops Act, 1907, the following words are hereby added: "and for any such contravention service of a summons by leaving the same with some person apparently of the age of sixteen years or upwards at the usual place of business in Victoria of the person named in such summons shall be deemed to be good and sufficient service thereof."

24. In Sub-section (1) of §38 of the Factories and Shops Act, 1907, after the word "employer" the words "of any person" are hereby inserted, and after the word "prescribed" where last occurring in such Sub-section, the following words are hereby added: "or whenever demanded for the purpose of preparing statistics for the information of either House of Parliament in connection with the appointment of a Special Board."

25. Notwithstanding anything contained in the Factories and Shops Acts in the Metropolitan District, no person shall deliver hay, corn, chaff, straw, wood, coal or coke after two o'clock in the afternoon on any Saturday.

26. At the end of Sub-section (1) of §3 of the Metropolitan Saturday Half-Holiday Act, 1909, the following words are hereby added: "provided that if any such shop be closed for the whole of a public holiday, it need not be closed at one o'clock in the afternoon on Saturday in Easter or Christmas week."

27. After the word "Bakers" in the First Schedule to the Metropolitan Saturday Half-Holiday Act, 1909, the following words are hereby added: "Bird and Dog Dealers' Shops."

28. In §16 of the Factories and Shops Act, 1909, after the word "saloon" where it first occurs, the words "in the Metropolitan District" are hereby inserted, and at the end of the Section the following words are hereby added: "and such saloon shall not be required to be closed for a half-holiday in such week."

29. Every fruit and vegetable shop in the Metropolitan District shall be closed on the first Wednesday in February in each year, and every employee working in or in connection with such shop shall be entitled to and be given a holiday on such day.

30. Every grocer's shop and every shop in which tea is sold in the Metropolitan District shall be closed on the second Wednesday in February in each year, and every employee working in or in connection with such shop shall be entitled to and be given a holiday on such day.

#### *Apprentices.*

31. (1) No indenture of apprenticeship shall be deemed to be invalid under the Factories and Shops Acts by reason only that such indenture is not under seal.

(2) No indenture of apprenticeship shall be entered into after the passing of this Act in connection with any trade working under the Factories and Shops Acts except in the form (if any) prescribed by any Special Board dealing with such trade and approved of by the Minister.

32. (1) Any failure either by an employer or an apprentice to carry out the terms of an indenture of apprenticeship shall be deemed to be a contravention of this Section.

(2) When the Minister is satisfied that there is any such failure either by an employer or apprentice he may direct that proceedings shall be instituted against the employer or apprentice as the case may be.

(3) A Court of Petty Sessions may for any such contravention—

(a) impose a penalty not exceeding ten pounds and in addition

(b) order the defendant to enter into such securities as the Court may think fit to carry out the terms of the indenture

(c) or impose on any employer a penalty not exceeding twenty-five pounds if the Court is satisfied that the apprentice has not been taught the trade in accordance with the indenture of apprenticeship and that the employer has not given to the Court any satisfactory explanation of such failure to teach the apprentice the trade. The whole or any part of such penalty may be applied for the benefit of the apprentice or otherwise as the Minister determines.

#### *Use of White or Yellow Phosphorus in Matches Prohibited.*

33. (1) It shall not be lawful for any person to use white or yellow phosphorus in the manufacture of matches, and any factory or workroom in which white or yellow phosphorus is so used shall be deemed to be a factory or workroom not kept in conformity with the Factories and Shops Acts and the occupier thereof shall be liable on conviction to a penalty not exceeding ten pounds.

(2) The occupier of any factory or workroom in which the manufacture of matches is carried on shall allow any inspector at any time to take for analysis sufficient samples of any material in use or mixed for use, and if he refuses to do so shall be guilty of obstructing the inspector in the execution of his duties under such Acts.

(3) The occupier may at the time when any sample is taken, and on providing the necessary appliances, require the inspector to divide the sample so taken into two parts and to mark, seal, and deliver to him one part.

#### *Regulations and By-laws.*

34. When any regulation or by-law made under the Factories and Shops Acts is altered or rescinded by any subsequent regulation or by-law, such alteration or rescission shall not, unless the contrary intention appears, directly or indirectly affect either any legal proceedings commenced, or which might be taken for any contravention of any such altered or rescinded regulation or by-law, or affect any right or privilege acquired, or obligation imposed, or liability to any penalty, forfeiture, or punishment incurred or imposed thereunder before the commencement of the operation of any such alteration or rescission.

35. (1) The owner or occupier of every warehouse and every shop shall provide such amount of ventilation as may be prescribed by any regulations made by the Board.

(2) In this Section the word "prescribed" means prescribed by any regulations made by the Board and which the Board is hereby authorized to make.

36. Notwithstanding anything contained in §101 of the Principal Act, the Governor in Council may by a notification published in the *Government Gazette* extend any determination made by the undermentioned Special Board to any shire or portion of a shire :—

Ham and Bacon Curers Board.

37. In Sub-section (1) of §20 and in §23 of the Factories and Shops Act, 1907, for the words "also be paid sixpence per hour or fraction of an hour for overtime in addition to his ordinary earnings," there shall be substituted the words "be paid for such overtime at the rate of time and a half for every hour or fraction of an hour so worked, provided that no such payment for overtime shall be less than sixpence per hour or fraction of an hour."

38. The Special Board heretofore appointed and called the Woodworkers Board may also determine the lowest prices or rates which may be paid to persons employed as stackers or sorters in connection with the loading or unloading of timber from ships, or the stacking of same in any yard or place.

39. In Sub-section (1) of §119 of the Principal Act, after the word "pounds" there shall be added the words "Provided that it shall be lawful for any person to employ any person or classes of persons in any such process, trade or business, or for wholly or partly preparing or manufacturing any such articles, if he duly comply with such provisions of the Factories Acts, and such Determination either of a Special Board or of the Court of Industrial Appeal as may be applicable thereto, nor shall such person so complying as aforesaid (unless he has otherwise contracted) be compelled or compellable, under any other circumstances whatever, while such determination remains in force, to pay a price or rate of payment other than that prescribed by it, nor to employ a number of improvers or apprentices other than that prescribed by such Determination, nor to comply with any conditions of employment of any kind whatsoever not contained in the said Acts or such Determination as aforesaid."

**2. An Act to further amend the Factories and Shops Acts with regard to apprentices and improvers. 4th January, 1911. (I. Geo. V., No. 2291.)**

1. This Act may be cited as the Factories and Shops Act, 1910, and shall be read and construed as one with the Factories and Shops Act, 1905 (hereinafter called the Principal Act), which Act and any Act amending the same and this Act may be cited together as the Factories and Shops Acts.

2. (1) For such time only as this Act shall remain in force there shall be substituted for §91 of the Principal Act, as amended by §12 of the Factories and Shops Act, 1907, the following Section :—

"91. (1) When determining any prices or rates of payment pursuant to this Part, every Special Board shall also determine—

(a) the number or proportionate number of apprentices and improvers who may be employed within any factory or workroom or shop or place, or in any process, trade, business or occupation ; and

(b) the lowest prices or rates of pay payable to apprentices or improvers when wholly or partly preparing or manufacturing any articles as to which any Special Board has made or makes a determination, or when engaged in any process, trade, business or occupation as to which any Special Board has made or makes a determination.

(2) The Board, when so determining, may—

(a) take into consideration the age, sex and experience of such apprentices or improvers ;

(b) fix a scale of prices or rates payable to such apprentices or improvers respectively, according to their respective age, sex and experience; and

(c) fix a different number or proportionate number of male and female apprentices or improvers.

(3) In fixing the number or proportionate number of apprentices the Board shall not fix a less number or proportionate number than one apprentice for every three, or fraction of three, workers engaged in the particular process, trade or business and receiving the minimum wage or earning at piece-work rate not less than the minimum wage fixed for the time by such determination.

(4) Provided that, where prior to the commencement of this Act, all the apprentices of any employer have been engaged so that all of their terms of apprenticeship would expire within eighteen months of one another, such employer shall be exempt from the operation of this Act and from the determination of any Special Board so far as limitation of apprentices is concerned for a period not exceeding the term of apprenticeship in the particular trade from the commencement of this Act. So that it shall be lawful during such period as each apprentice of such employer completed his first, second, third, fourth, fifth or sixth year, for the employer to take another apprentice to supply his place, so that a due and not disproportionate number of skilled workmen shall be secured. Provided that at the expiration of such period of exemption the number of apprentices is not in excess of the number such employer would be entitled to employ in proportion to the number of persons other than apprentices and improvers employed."

(2) §12 of the Factories and Shops Act, 1907, is hereby repealed.

3. No person who has a greater number of apprentices in his employ than is prescribed in the determination of a Special Board shall be, or be deemed to be, guilty of a contravention of the Factories and Shops Acts if he proves—

(a) that such apprentices employed by him were under indentures of apprenticeship entered into before the 31st day of December, 1910; or

(b) that at the date of entering into the indentures of apprenticeship in respect of the last apprentice employed by him, and for three months previous thereto, he had in his employ such number of persons other than apprentices and improvers as at that date entitled him to the number of apprentices (including such last apprentice) in his employ.

4. In paragraph (b) of Sub-section (1) of §119 of the Principal Act, after the word "any" the words "apprentice or" are hereby inserted.

5. Where any indentures of apprenticeship are entered into with respect to any trade to which the determination of a Special Board applies and the wages to be paid to the apprentice are stated in such indentures then, notwithstanding anything contained in the Factories and Shops Acts, and notwithstanding any subsequent alteration of such determination by such Special Board, the wages to be paid to such apprentice during the currency of such indentures shall be the wages stated in the indentures.

6. This Act shall remain in force until the 31st day of December, 1912, and no longer.

**3. An Act to further amend the Factories and Shops Acts. 4th January, 1911. (1 Geo. V., No. 2305.)**

1. This Act may be cited as the Factories and Shops Acts, 1910 (No. 2), and shall be read and construed as one with the Factories and Shops Act, 1905 (hereinafter called the Principal Act), which Act and any Act amending the same and this Act may be cited together as the Factories and Shops Acts.

*Special Boards.*

2. Notwithstanding anything contained in the Factories and Shops Acts—

(1) Where a resolution is passed by both Houses of Parliament declaring that it is expedient to appoint any Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed anywhere in Victoria (whether in a factory or workroom or not) in any process, trade, business, or occupation, or any group or groups of processes, trades, businesses, or occupations specified in the resolution, the Governor in Council may, if he thinks fit, from time to time—

(a) appoint one or more Special Boards for any process, trade, business or occupation so specified, or for any branch or branches thereof, or for any group or groups thereof; and

(b) define the area or locality (including the whole or any part or parts of Victoria) within which the determination of each of such Special Boards, shall be operative; and extend or re-define any such area or locality; and

(c) as between any two or more Special Boards, adjust the powers which such Boards, or any of them, may lawfully exercise, and for that purpose deprive any Special Board of any of its powers and confer them upon any other Special Board.

(2) When any Special Board is deprived of any of its powers pursuant to this Section, any determination thereof or of the Court of Industrial Appeals, made before such deprivation under any power of which the Special Board is deprived, shall continue in operation until superseded by a determination of the Special Board upon which such power is conferred, and upon such determination being made, shall cease to have effect.

(3) The provisions of the Factories and Shops Acts as to the appointment of Special Boards shall extend and apply to the nomination, election and appointment of the members of Special Boards under this Section.

Provided that in any case where no records are given in the latest annual report of the Chief Inspector of Factories with respect to any persons likely to be affected by the determination of any such Special Board, the Minister, if he is satisfied that there is substantial objection to the persons nominated by him as representatives of employers or employees on such Special Board, and notwithstanding that an objection signed by one-fifth of the employers or adult employees, respectively, engaged in the process, trade, business or occupation subject to such Special Board has not been lodged, may decide that an election shall be held.

(4) All or any of the powers conferred upon the Governor in Council by Sub-section (1) of this Section may be exercised by him from time to time with regard to any Special Board heretofore appointed or hereafter to be appointed, pursuant to a resolution passed by both Houses of Parliament before the commencement of this Act to the like extent as if such resolution had been passed after the commencement of this Act.

(5) The determination of every Special Board which comes under this Section shall be signed by the Chairman thereof and published in the *Government Gazette*, and shall apply to the area or locality to which such determination is applicable; and any determination of the Court of Industrial Appeals relating thereto shall also apply to such area or locality.

(6) Where under this Section the area or locality within which the determination of any Special Board is to be operative is extended so as to include any part or parts of Victoria outside the Metropolitan District or outside any city, town or borough, the Governor in Council, if in any case he thinks it necessary, may appoint a new Special Board to take the place of the Special Board the operation of whose determination is so extended.

(7) Where any new Special Board is so appointed, any determination of the Board whose place it takes, or of the Court of Industrial Appeals theretofore made, shall, within the area or locality for which the determination was made, continue in operation until superseded by a determination of the new Special Board, and upon such determination being made, shall cease to have effect.

(8) Subject to this Section, all the provisions of the Factories and Shops Acts relating to Special Boards and to the determinations thereof, and to any act, matter or thing precedent to, consequent on, or arising out of any such determination, or the suspension of any such determination, shall, so far as applicable, and with such modifications as may be necessary, extend and apply with respect to Special Boards appointed under this Section and to the determinations thereof, and to any act, matter or thing precedent to, consequent on, or arising out of any such determination or the suspension of any such determination.

(9) (a) §8 of the Principal Act is hereby repealed so far as it applies to creameries, butter and cheese factories, and concentrated and condensed milk factories, but except as aforesaid nothing in this Act, including Sub-section (1) hereof) shall affect the operation of the said Section.

(b) In Sub-section (1) of §16 of the Factories and Shops Act, 1905 (No. 2), the words "if so authorised by a resolution passed by both Houses of Parliament" are hereby repealed.

3. In §10 of the Factories and Shops Act, 1907, after the figures "1907" there shall be inserted the "or by any later enactment other than a Board the members of which are to be elected in accordance with regulations."

4. Any employer who dismisses from his employment any employee by reason merely of the fact that the employee—

(a) is a member of a Special Board, or

(b) has given information with regard to matters under the Factories and Shops Acts to an inspector of factories, or

(c) has, after having given reasonable notice to his employer of his intention, absented himself from work through being engaged in other duties as member of a Special Board—

shall be liable to a penalty not exceeding twenty-five pounds for each employee so dismissed.

5. (1) For Sub-section (2) of §75 of the Principal Act as amended by §5 of the Factories and Shops Act, 1909 (No. 2). there shall be substituted the following Sub-section :—



"(2) (a) In fixing such lowest prices or rates, the Special Board shall take into consideration the following matters and may (if it thinks fit) fix different prices or rates accordingly—

- (i.) the nature, kind and class of the work ;
- (ii.) the mode and manner in which the work is to be done ;
- (iii.) the age and the sex of the workers ;
- (iv.) the place or locality where the work is to be done ;
- (v.) the hour of the day or night when the work is to be done ;
- (vi.) whether more than six consecutive days' work is to be done ;
- (vii.) whether the work is casual as defined by the Board ;
- (viii.) any recognised usage or custom in the manner of carrying out the work ; and
- (ix.) any matter whatsoever which may from time to time be prescribed.

(b) The Special Board may—

- (i.) fix the times of beginning and ending work upon each day ;
- (ii.) fix a higher price or rate to be paid for any hour, or fraction of an hour, worked outside the times so fixed ;
- (iii.) fix special prices or rates for work to be done on a Sunday or public holiday."

(2) §5 of the Factories and Shops Act, 1909 (No. 2), is hereby repealed.

6. No Special Board shall sit during ordinary working hours in any trade except by mutual agreement of the representatives of the employers and employees on the Board, or by the direction of the Minister.

7. In Sub-section (2) of §76 of the Principal Act as amended by §9 of the Factories and Shops Act, 1907—

(a) after the word "concerned" omit "and," and insert in place thereof "for at least six months."

(b) and after the word "trade" where last occurring, omit "and," and insert in place thereof "for at least six months."

(c) The words "provided that this restriction shall not apply to appointments made by the Minister" are hereby repealed.

8. In §77 of the Principal Act, after the words "process, trade or business" wherever occurring, there shall be inserted the words "or occupation."

9. Notwithstanding anything contained in the Factories and Shops Acts, any person over 21 years of age may, with the sanction in writing of the Minister, be bound by indentures of apprenticeship.

10. (1) The power conferred upon the Governor in Council by §101 of the Principal Act to apply the determination of any Special Board to any borough is hereby extended so as to enable the Governor in Council to apply the determination of any Special Board to any shire or portion of a shire.

(2) Sub-section (2), and paragraphs (a) and (b) of Sub-section (3) of the said §101 are hereby repealed.

(3) In paragraph (c) of Sub-section (3) of the said §101, after the words "applied to" there shall be inserted the words "any shire or," and after the words "within such" there shall be inserted the words "shire or."

11. (1) In Sub-section (1) of §126 of the Principal Act, for the words "to any portion of any shire if such portion is within 10 miles of any city or town," there shall be substituted the words "to any shire or portion of a shire."

(2) Sub-section (2) of the said §126 is hereby repealed.

(3) In Sub-section (3) of the said §126, before the word "portion" wherever occurring there shall be inserted the words "shire or."

*Factories and Shops.*

12. (1) Subject to the provisions of the Public Service Acts, the Governor in Council may appoint an Assistant Chief Inspector of Factories, Work-rooms and Shops, and may remove any person so appointed.

(2) Such Assistant Chief Inspector—

(a) shall, under the control of the Chief Inspector, have and may exercise such powers, functions or duties (whether statutory or otherwise) of the Chief Inspector as may be assigned to him in writing by the Chief Inspector, either generally or in any particular case; and

(b) shall act in the place of the Chief Inspector in case of the illness, absence or temporary incapacity of the Chief Inspector.

(3) All acts, matters and things done or performed by such Assistant Chief Inspector pursuant to this Section shall for all purposes have the same force and effect as if done or performed by the Chief Inspector.

13. §2 of the Factories and Shops Act, 1907, is hereby amended as follows:—

(a) For the words "The expression 'process, trade or business,' or 'occupation,' or any like expression when used in the Factories and Shops Acts, or in the determination of a Special Board, refers to the process, trade or business or occupation of the employer, as well as the process, trade, business or occupation in which the employee is employed," there shall be substituted the words "The expression 'process, trade or business' or 'occupation,' or any like expression when used in the Factories and Shops Acts, or in the determination of a Special Board, refers either to the process, trade or business or occupation of the employer, or to that in which the employee is employed, or to both, as the case may require."

(b) In the last paragraph thereof, for the words "This Section and §§7, 19, 22 and 40," there shall be substituted the words "§40."

14. The lowest prices or rates which may be determined under and pursuant to the Factories and Shops Acts by any Special Board appointed—

(a) under the provisions of paragraph (c) of Sub-section (1) of §6 of the Factories and Shops Act, 1909 (No. 2); or

(b) under the provisions of paragraphs (a), (b), (c) and (d) of §14 of the Factories and Shops Act, 1909,

for any person or persons or classes of persons shall be the lowest prices or rates to be paid to such person or persons or classes of persons whosoever employed, notwithstanding that any other rates are determined with respect to such person or persons or classes of persons by any other Special Board.

15. (1) Any Special Board appointed under the provisions of paragraph (c) or paragraph (f) of Sub-section (1) of §6 of the Factories and Shops Act, 1909 (No. 2), is hereby given power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the

occupation of assistant engine-driver, greaser or trimmer in connection with the use of steam engines or steam boilers.

(2) Such Special Board may exercise all the powers conferred on Special Boards under the Factories and Shops Acts so far as any person or persons or classes of persons mentioned in this Section are concerned.

16. (1) Notwithstanding anything contained in the Factories and Shops Acts, the Carters' Board appointed on the 1st day of December, 1909, under the provisions of the Factories and Shops Acts, is hereby given power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in or in connection with any stable (other than a livery stable) in which are stabled the horses used in his business, trade or occupation by any person, subject to the determination of the said Special Board.

(2) Such Special Board may exercise all the powers conferred on Special Boards under the Factories and Shops Acts, so far as any such person or persons or classes of persons mentioned in this Section are concerned.

17. Notwithstanding anything contained in §37 of the Principal Act, the Chief Inspector may grant to any female child over the age of 14 years who is not required to attend school under the Education Acts permission to work in a factory or work-room if he is satisfied that the poverty of the parents or guardians of the child makes it desirable for the child to get employment, and that the interests of the child will be best served by commencing work in a factory or work-room without waiting till such child becomes legally eligible so to work.

18. At the end of §28 of the Principal Act, as re-enacted by §5 of the Factories and Shops Act, 1907, there shall be inserted the following words :—  
“ The onus of proof that the provisions of this Section have not been contravened shall in all cases be on the defendant.”

19. For §55 of the Principal Act there shall be substituted the following Section :—

“ 55 (1) The provisions of this Division shall apply not to any suction gas engine, steam engine, or steam boiler used on or for the purposes of any farm, vineyard, garden or orchard.

(2) Notwithstanding anything contained in the Factories and Shops Acts, the provisions of this Division shall apply to any steam engine or steam boiler used on or for the purposes of any creamery or butter factory.”

20. For §3 of the Factories and Shops Act, 1909, there shall be substituted the following Section :—

“ 3. Every person in charge of any steam engine or steam boiler who is required under the Factories and Shops Acts to hold a certificate from the Board of Examiners appointed for engine drivers under the Mines Acts, and every person assisting such engine driver, and every fireman working with such engine driver, and every person assisting such fireman, shall, if required to work on Sunday, be paid at the rate of not less than time and a half.”

21. A shopkeeper shall not charge any manager or assistant who is required to reside on the premises in connection with the shop in which the business of such shopkeeper is carried on a greater sum as rent for such premises than ten shillings per week.

22. No person employing any girl under the age of 18 years in a factory, work-room or shop shall permit such girl, while so employed, to lift or carry a greater weight than 25lb.

23. For paragraph (c) of §58 of the Principal Act there shall be substituted the following paragraph :—

“(c) All dangerous parts of the machinery and every part of the mill gearing shall either be securely fenced or be in such position or of such construction as to be equally safe to every person employed in the factory or work-room as it would be if it were securely fenced ; and.”

24. Every factory or shop, where steam, electrical, water or other power-driven machinery is running, shall be compelled to have a first-aid ambulance-chest upon the premises.

25. In §8 of the Factories and Shops Act, 1909, after the word “ goods ” there shall be inserted the following words :—“ or in connection with the business of a hairdresser or barber.”

26. Where any person carrying on the business of a hairdresser or barber lets any chair or part of his shop to any other person for the purposes of the business of a hairdresser or barber the person to whom the chair or part of the shop is let shall be deemed to be the employee of the person who lets the same, and shall be paid as such.

27. (1) No person who is or is deemed to be the occupier of a factory or work-room within the meaning of §21 of the Principal Act shall issue or give out or authorise or permit to be issued or given out any material whatsoever for the purpose of being wholly or partly prepared or manufactured outside a factory or work-room as articles of clothing or wearing apparel for trade or sale, except to a person who has been registered as an outside worker under the provisions of §23 of the Principal Act, provided that no such outside worker shall employ any other person or persons whatsoever in wholly or partly preparing or manufacturing such articles of clothing or wearing apparel, save and except members of such worker's own family.

(2) Any person guilty of a contravention of this Section shall for every offence be liable, on conviction, to a penalty not exceeding five pounds.

#### *Hours of Work on Holidays.*

28. (1) At the end of §22 of the Factories and Shops Act, 1909 (No. 2), there shall be inserted the following words : “ and shall be closed at 8 o'clock in the evening on the day preceding a public holiday when such shops are to be closed for the whole of such public holiday.”

(2) In Sub-section (2) of §24 of the Factories and Shops Act, 1905 (No. 2), for the words “ in this Act ” there shall be substituted the words “ in the Factories and Shops Acts.”

29. (1) §26 of the Factories and Shops Act, 1909 (No. 2) is hereby repealed.

(2) §29 of the Factories and Shops Act, 1907, is hereby repealed.

30. §§4 and 5 of the Metropolitan Saturday Half-Holiday Act, 1909, are hereby repealed.

31. In Sub-section (2) of §6 of the Metropolitan Saturday Half-Holiday Act, 1909, for the word “ six ” there shall be substituted the word “ five.”

32. Sub-section (1) of §26 of the Factories and Shops Act, 1907, is hereby repealed.

33. Notwithstanding anything contained in the Factories and Shops Acts a shopkeeper who is required to close his shop at one o'clock in the afternoon on Saturday under a regulation made under §6 of the Metropolitan Saturday Half-Holiday Act, 1909, shall, in the week in which a public holiday occurs, if he closes such shop for the whole of such public holiday, close such shop not later than 6 o'clock in the evening on such Saturday in such week.

34. Notwithstanding anything contained in the Factories and Shops Acts, the provisions of §26 of the Factories and Shops Act, 1905 (No. 2), shall apply to the following shops and no others, namely, the shops mentioned in—

(a) the Fourth Schedule to the Principal Act as amended by Sub-section (2) of §25 of the Factories and Shops Act, 1905 (No. 2); or

(b) the First Schedule to the Metropolitan Saturday Half-Holiday Act, 1909, as amended by §27 of the Factories and Shops Act, 1909 (No. 2).

35. In §36 of the Factories and Shops Act, 1905 (No. 2), after the word "bakers" there shall be inserted the words "and pastrycooks"; and after the words "no bread" there shall be inserted the words "or pastry."

36. In §48 of the Factories and Shops Act, 1907, for the word "Tuesday" there shall be substituted the word "Saturday."

37. (1) In Sub-section (2) of §141 of the Principal Act for the words "of the third Wednesday" the following words are hereby substituted: "of the first and third Wednesdays," and at the end of Sub-section (2) of the said §141 there shall be inserted the following words: "Provided that when a public holiday occurs in the same week as the first Wednesday in any month, every baker or pastrycook shall permit every person employed by him in delivering bread to have and take a holiday for the whole of such public holiday in lieu of such first Wednesday."

(2) Notwithstanding anything contained in the Factories and Shops Acts, the Governor in Council may from time to time make an Order extending to the whole or any specified part of any shire the provisions of Sub-section (2) of §141 of the Principal Act as amended by this Section.

38. For Sub-section (1) of §40 of the Factories and Shops Act, 1907, as amended by §13 of the Factories and Shops Act, 1909, there shall be substituted the following Sub-section:—

"(1) (a) No person shall cart or deliver, or permit any other person in his employment to cart or deliver, any goods, wares, merchandise or materials whatsoever before half-past 7 o'clock in the morning or after half-past 7 o'clock in the evening on any Monday, Tuesday, Wednesday or Thursday, or before half-past 7 o'clock in the morning nor after 9 o'clock in the evening on Friday, or before half-past 7 o'clock in the morning, or after half-past 1 o'clock in the afternoon on any Saturday.

Provided that in cities and towns, and also in all boroughs and parts of shires outside the Metropolitan District to which the operation of this Section is extended as provided by §2 of the Factories and Shops Act, 1907, such carting or delivering may be continued by any person up till 9 o'clock in the evening on Saturday, but there shall in such case be no carting or delivery by such person after half-past 1 o'clock in the afternoon on the day on which the usual weekly half-holiday is observed in such city, town, borough or part of a shire.

(b) The restrictions contained in this Sub-section shall not apply to cab-drivers or persons delivering parcels of laundry work, or from the first day of November in any year to the thirty-first day of March next following, to persons delivering aerated waters or cordials or ice."

39. At the end of §40 of the Factories and Shops Act, 1907, there shall be inserted the following Sub-section :—

"(4) Any person may, if allowed in writing by the Chief Inspector, be employed in such carting or delivery, either before or after the hours mentioned in this Section, provided that such person is paid at the rate of two shillings for each hour for such carting or delivery."

40. In §12 of the Factories and Shops Act, 1909, for the words "wool, produce, timber, merchandise, goods or packages," there shall be substituted the words "goods, wares, merchandise, or materials whatsoever."

41. (1) §25 of the Factories and Shops Act, 1909 (No. 2), is hereby repealed.

(2) For paragraph (b) of §144 of the Principal Act as amended by any later enactment there shall be substituted the following paragraph :—

"(b) Providing that every person (with such exceptions as may be stated in any such regulation) so employed shall during such hours as may be specified in the regulation have a half-holiday on Saturday in each week in the Metropolitan District, or on the day on which the usual half-holiday is observed in any such city or town outside the metropolitan district. Any such regulation may also specify the hours during which any person so employed who is so excepted shall have a half-holiday on some day in each week other than a Sunday. This paragraph shall not apply to any person employed in delivering bread."

42. Any person employing a carter for the purposes of any trade or business subject to a determination of a Special Board shall keep, or cause to be kept, a time-book in which such carter's hours of commencing and ending work shall be entered from day to day by every carter so employed ; and such time-book shall be produced for inspection whenever demanded by an inspector.

43. No shopkeeper shall require or permit any improver employed in the business carried on by such shopkeeper to cart or deliver goods for a longer time than 26 hours out of the total number of working hours in any week.

44. The fourth Saturday in February in every year shall be a factory holiday for persons employed in the following trades :—

Brush-making ;  
Carpentering ;  
Coach-building ;  
Coopering ;  
Furniture ;  
Saw-milling ;

and every employee working in connection with a factory in which any of such trades is carried on shall be entitled to and be given a holiday on such day

45. (1) The Governor in Council may make regulations—

(a) limiting the total number of hours in the week during which any person may be employed in the trade or business of a caterer, and fixing (if necessary) different number of hours for males and females ; and

(b) providing that every person employed for hire or reward in such trade or business or at any work in connection with such trade or business shall have a half-holiday on some day in every week (other than a Sunday) from an hour not later than 2 o'clock in the afternoon to be specified in the regulations.

(2) In §20 of the Factories and Shops Act, 1907, as amended by §37 of the Factories and Shops Act, 1909 (No. 2), after the words "Principal Act" there shall be inserted the words "or under the Factories and Shops Act, 1910 (No. 2)."

46. Where any person in any building, room or place in any municipal district and at any time when shops in such district are required by the Factories and Shops Acts to be closed, sells by auction any new goods, such as are usually sold in any such shops, such person (notwithstanding that he is an auctioneer licensed under the Auction Sales Act, 1890) shall be guilty of an offence against the Factories and Shops Acts.

47. In Sub-section (2) of §146 of the Principal Act, for the word "forty" there shall be substituted the words "twenty-five."

48. In §23 of the Factories and Shops Acts, 1907, for the words "Sixpence for tea money," there shall be substituted the words "One shilling for tea money."

49. Notwithstanding anything contained in the Factories and Shops Acts, any person or persons employed as a watchman shall be granted one holiday in every week when so employed.

50. Every fish or poultry shop in the Metropolitan District shall be closed on the last Monday in February in each year; and every employee working in or in connection with such shop shall be entitled to and given a holiday on such day.

51. Every employer shall pay or cause to be paid at least once in every fortnight all wages due to every person employed by him in a factory, work-room or shop.

52. In §29 of the Factories and Shops Act, 1909 (No. 2), for the words "first Wednesday in February" there shall be substituted the words "third Wednesday in March," and after the words "in each year" there shall be inserted the words "commencing with the year 1912."

53. At the end of Sub-section (2) of §119 of the Principal Act there shall be added the words:—

"Provided that such person knowingly and wilfully committed each of such offences."

54. Every shop in the city of Bendigo or in the borough of Eaglehawk in which fresh uncooked meat is sold, and every factory in which small goods are made shall be closed on the whole of the third Wednesday in February in each year and every employee in such shop or factory shall be given a whole holiday on such day and every such shop may be kept open till 9 o'clock on the Tuesday preceding the third Wednesday in February in each year.

## 2. NEW SOUTH WALES.

1. **An Act to make provision for the supervision and regulation of factories, bakehouses, laundries, dye-works, and shops ; for the limitation in certain cases of the hours of working therein ; to extend the liability of employers for injuries suffered by employees in certain cases ; and for other purposes.** (Act 60 Vic. No. 37\*, as amended by Act No. 29, 1908,† and Act No. 28, 1909.‡)

1. This Act shall come into force on 1st January, 1897 (hereinafter referred to as the commencement of the Act), and may be cited as the "Factories and Shops Act of 1896." It is divided into seven Parts, embracing the following subjects, that is to say:—

PART I.—Appointments : Registration and Inspection.

PART II.—Records.

PART III.—Sanitary Arrangements, etc.

PART IV.—Fencing of Machinery : Protection from Fire.

PART V.—Ages of Persons Employed and Certificates.

PART VI.—Shops.

PART VII.—Miscellaneous.

2. In this Act, unless the context requires another meaning—

"Bakehouse" means any place in which any bread, pastry, sweet-meats, or sugar goods are made or baked for sale, and includes any place or room used in connection with the bakehouse for storing such food when baked or to be baked, or any material to be used for the manufacture of such food to be baked.

"Child" means any person under the age of 14 years.

"Employee" means any person in the employment of an occupier. Any person who works in a factory or shop, whether for wages or not, at any kind of work whatever, shall be deemed to be an employee and to be employed within the meaning of this Act.

"Factory" means—

(a) any office, building or place in which four or more persons are engaged directly or indirectly in working at any handicraft, or in preparing or manufacturing articles for trade or sale ; and includes laundries and dyeworks in which four or more persons are engaged ; but does not include any building or place in which the persons engaged in working are shown to the satisfaction of the Minister to be all members of one family, and in which steam or other mechanical power is not used ;

(b) any office, building, or place in which one or more Chinese are so engaged ;

(c) any place or building where steam or other mechanical power or appliance is used in manufacturing goods or packing them for transit, or in generating electricity, water power, or any other power ;

(d) any bakehouse ;

but does not include any building used for the manufacture of dairy produce, nor any wool-shed used for shearing sheep, or building used for dumping wool, or any ship ;

\* Assented to, 16th November, 1896.

† Assented to, 24th December, 1908. Came into force 1st January, 1909.

‡ Assented to, 29th December, 1909.



Where the operations of any manufacturer are carried on for safety or convenience in several adjacent buildings grouped together in one enclosure, these shall be classed and included as one factory.

"Governor" means the Governor, with the advice of the Executive Council.

"Inspector" means an inspector of factories and shops, appointed under this Act.

"Mechanical power" means power generated by water, steam, gas, oil, electricity, or any power other than manual power.

"Mill-gearing" includes any shaft, whether upright, oblique or horizontal, and any wheel, drum, pulley, belt, rope, or chain by which the motion of the first moving power is communicated to the operative part of any machine.

"Minister" means the Minister for the time being administering this Act.

"Occupier" means the person, company or association employing persons in any factory or shop, or occupying any office, building, or place used as a factory or shop, and includes any agent, manager, foreman or other person acting or apparently acting in the general management or control of any factory or shop.

For the purposes of any structural alteration or building additions required by this Act to be made to a factory or shop, the Minister may, by notice in the form prescribed, notify the owner of the factory or shop, or the person receiving the rent for the same, whether on his own account or on account of any other person, that he will regard him for such special purposes as the occupier of the same; and thereafter the said owner or person shall for the said purposes, be deemed to be the occupier of the factory or shop.

"Prescribed" means prescribed by this Act or regulations under this Act.

"Shop" means any building or place, or portion of a building or place, in which goods are exposed or offered for sale by retail.

"Shopkeeper" means the occupier of a shop.

3. (1) This Act shall apply only to such localities as are declared by the Governor, by proclamation in the *Gazette*, to be a district or districts for the purposes of this Act.

(2) The Governor may, by proclamation in the *Gazette*, exempt either wholly or in part, any factory or class of factories, or shop or class of shops, in any district or part thereof from the operation of this Act, and such factory or class of factories, or shop or class of shops, shall thereupon be exempted as aforesaid.

(3) The Governor may, by proclamation as aforesaid, revoke, vary, or alter any proclamation published under this Section.

#### PART I.—APPOINTMENT OF INSPECTORS; REGISTRATION AND INSPECTION OF FACTORIES, AND INSPECTION OF SHOPS.

4. The Governor may appoint so many inspectors of factories and shops as may appear necessary for carrying into effect the provisions of this Act.

5. Every person who at the commencement of this Act is the occupier of a factory shall within 28 days thereof serve on the inspector of the district, or such other person as the Governor may appoint, a written notice containing such particulars as may be prescribed, and the inspector, or such other person

as aforesaid, shall on the receipt of such notice register the factory, and issue a certificate of registration to such occupier. Should any occupier neglect or omit to serve the notice as herein provided, he shall be liable to a penalty not exceeding ten pounds.

6. (2) Every person in occupation of, or about to occupy, any premises which it is intended to use as a factory for the first time, or which after a period of disuse it is intended to again use as a factory, shall, not less than seven days before it is so used or again used as a factory, forward to the inspector of the district, or such other person as the Governor may appoint, a written notice containing such particulars as may be prescribed. The inspector or such other person as aforesaid, on the receipt of the said notice, may register the premises and issue a certificate of registration to the person giving such notice.

(3) The inspector or such other person as aforesaid, may, if he thinks fit, instead of registering the premises, issue a permit authorising the use of the premises for a period to be named in such permit, pending the carrying out of any alterations or repairs required in order to make such premises suitable for a factory. Such permit may, from time to time, be extended by the Minister.

6a. Any person in occupation of an unregistered factory within a district to which at the time of such occupation the provisions of this Act have for a period of at least 28 days been applied shall be liable to a penalty not exceeding ten pounds, unless he proves that he had duly applied within the prescribed time for the registration of the factory and had taken all proper measures to obtain the registration of the factory, and that such application had not been refused, or that he is the holder of a permit under this Act authorising him to occupy the factory.

6b. (1) If, in the opinion of an inspector, any office, building, or place used or about to be used as a factory is unfit for such purpose, he shall, by notice in writing, served on the occupier or the applicant for registration of the factory personally or posted to his last known address, request such occupier or applicant to comply with such requirements specified in such notice as he may deem necessary to render such office, building, or place fit for occupation as a factory.

(2) If the occupier or applicant is dissatisfied with the requirements of the said notice, he may, within seven days of service of such notice, appeal to the Minister in writing in the form prescribed, stating what amendments in the said requirements he desires should be made.

(3) The Minister may forthwith determine the appeal, or may appoint a competent person to hold an investigation in such manner and under such conditions as the Minister may approve as to the necessity for, or reasonableness, of, the inspector's requirements, and to report to him and make a recommendation as to whether such requirements, or any one or portion of any one of them, should be carried into effect.

(4) The Minister shall make such orders as he deems just and necessary, and his decision shall be final.

(5) Where an inspector reports that in his opinion no requirements that may be specified will, by reason of structural difficulties, sanitary defects or otherwise, fit any office, building or place for use as a factory, he shall so report to the Minister, and the Minister may thereupon take such action as hereinbefore referred to, and make an order forbidding the use of the said office, building or place as a factory, or such other order as he may think fit.

7. Every inspector shall have power—

(1) to enter, inspect and examine, at all reasonable hours by day or night, any factory or shop, or any part thereof, when he has reasonable cause to believe that any person is employed therein, and to enter by day any place which he has reasonable cause to believe is used as a factory or shop ;

(2) to take with him in either case an officer of health or inspector of nuisances, or any person whom he may think qualified to act as an interpreter ; or, in any case in which he has reasonable cause to apprehend any serious obstruction in the execution of his duty, a constable ;

(3) to require the production of the certificate of registration of any factory, or any book, notice, record, list, or document which is by this Act, or the regulations thereunder, required to be kept or exhibited in any factory or shop, and to inspect, examine, and copy the same ;

(4) to make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act or any Act relating to the public health are complied with so far as respects the factory or shop, and the persons employed therein ;

(5) to examine alone, or in the presence of any other person, as he thinks fit, with respect to matters under this Act, any person whom he finds in a factory or shop, or whom he has reasonable cause to believe to be or to have been within the preceding two months employed in a factory or shop, and to require such person to be so examined, and to sign a declaration of the truth of the matters respecting which he is so examined :

Provided that no person shall be required to answer any question, if the answer to such question might incriminate him.

(5a) subject to this Act, to conduct prosecutions in connection herewith, whether the information be laid in his name or not, to take proceedings for the punishment of offences against this Act, and to attend and examine witnesses at any inquest into the cause of the death of any employee while employed in a factory or shop ;

(6) to exercise all other powers that may be necessary for carrying out the provisions of this Act, or of such provisions of any Act relating to public health as the Governor may from time to time determine.

8. The occupier of every factory or shop, his agents and servants, shall furnish the means required by an inspector necessary for an entry, inspection, examination and inquiry, or the exercise of his powers under this Act in relation to such factory or shop.

9. Every person who wilfully delays an inspector in the exercise of any power under this Act, or who fails to comply with a requisition of an inspector made under any such power as aforesaid, or to produce any certificate of registration, book, record, certificate, notice, list, or document which he is required by or in pursuance of this Act to produce, or who conceals or prevents any person from appearing before or being examined by an inspector, or attempts so to conceal or prevent any person, shall be deemed to obstruct an inspector in the execution of his duties under this Act, and shall for each offence be liable to a penalty not exceeding twenty pounds : Provided that no person shall be required to answer any question or give any evidence incriminating himself.

10. Every inspector shall be furnished with a certificate of his appointment, and on applying for admission to a factory or shop shall, if required, produce such certificate to the occupier.

11. Every person who forges or counterfeits any such certificate, or makes use of any forged, counterfeited, or false certificate, or personates the inspector named in any such certificate, or falsely pretends to be an inspector under this Act, shall be liable to be imprisoned for a term not exceeding six months, with or without hard labour.

## PART II.—RECORDS.

12. The occupier of a factory or shop shall keep, or cause to be kept, a record of the names of all employees in the factory or shop, together with the ages of all employees under 21 years of age, and such other particulars as may from time to time be prescribed.

The occupier shall cause to be affixed and maintained in some conspicuous place at or near the entrance of every factory, and in such other parts thereof as the inspector may direct, a copy of this Act and of the regulations made under it; also a notice containing—

- (a) the name and address of the inspector for the district;
- (b) the usual working hours of the factory.

13. The occupier of a factory shall, if so required by the Minister, furnish to him a scale of the wages paid to the employees therein, and also the rates of payment made for piece-work to the persons working in and in connection with such factory.

14. (1) The occupier of a factory shall, for the information of the inspectors, who alone shall be entitled to demand such information, keep a record in the prescribed form and with the prescribed particulars, showing—

- (a) the name of every person employed by him in the business of a factory outside such factory;
- (b) the places where those persons are employed;
- (c) the rate of payment in each instance.

(2) The occupier shall forward such record to the inspector for his information whenever demanded by him, and shall forward to the inspector at such times as may be prescribed, a copy or summary of every such record in such form as may be prescribed.

(3) An occupier who makes default in keeping such record or in forwarding it as hereinbefore provided, shall be liable to a penalty not exceeding ten pounds.

15. Every person who, whether as principal, contractor, sub-contractor, or otherwise, directly or indirectly issues or gives out, or authorises or permits to be issued or given out, any material whatsoever for the purpose of being wholly or partly prepared or manufactured outside a factory as articles of clothing or wearing apparel (including boots and shoes) for trade or sale, shall be deemed to be the occupier of a factory for the purposes of the last preceding Section; and the person to whom such material is issued or given out shall, for the purposes of the said Section, be deemed to be employed by the occupier in the business of the factory outside such factory.

16. Any inspector who divulges the contents of any record or makes use of his knowledge of the contents thereof, except to the Minister, or for the purposes of this Act, or for enforcing the provisions thereof, or for statistical purposes in connection with a Department of the Public Service, shall be liable to a penalty not exceeding fifty pounds, or to imprisonment with hard labour for any term not exceeding six months.

17. Each inspector shall furnish annually to the Minister for submission to Parliament a report on the operation of the Act.

### PART III.—SANITARY ARRANGEMENTS, ETC.

18. (1) Every factory and shop shall be kept in a cleanly state and free from effluvia arising from any drain, earth or water closet, urinal or other nuisance.

(2) A factory or shop, or any portion thereof, shall not be so overcrowded while work is carried on therein as to be injurious to the health of the persons employed therein, and shall contain such amount of cubical space for each person employed, and such amount of ventilation as may be prescribed by regulations, and shall be ventilated in such a manner as to render harmless, as far as practicable, all the gases, vapours, dust or impurities generated in the course of the manufacturing process or handicraft carried on therein that may be injurious to health.

(3) A factory or shop in or in connection with which there is a contravention of this Section shall be deemed not to be kept in conformity with this Act.

19. All the inside walls of the rooms of a factory, and all the ceilings and tops of such rooms (whether such walls, ceilings or tops be plastered or not), and all the passages and staircases of a factory shall either be varnished or painted with oil at least once in every period of seven years, or be lime-washed, or washed with some liquid approved by the inspector, at least once in every period of fourteen months (or, in the case of a bakehouse situate in a municipality, once in every period of six months, and shall, if they have been so painted or varnished, be washed with hot water and soap at least once in every period of fourteen months; but the inspector may, if it appear to him necessary, order the walls, ceilings, passages, and staircases of any factory or of any bakehouse situated as aforesaid, to be painted, varnished, lime-washed or washed more frequently than is herein provided.

If the walls or passages are papered, they need not be varnished, painted or washed, but shall be re-papered at such times as the inspector may direct.

The occupier of a factory shall on demand supply the inspector with the dates of the last washing, painting, varnishing or papering of each portion of the factory.

20. Where it appears to the Minister that in any class of factories, or parts thereof, the provisions of the last preceding Section are not required, or are by reason of special circumstances inapplicable, he may, if he thinks fit, make an order granting to such class of factories, or parts thereof, a special exemption from all or any of the requirements in the last preceding Section.

Provided that the last preceding Section shall, without any such order as aforesaid, be deemed not to apply to blacksmiths', agricultural implement makers', and wheelwrights' shops; or to foundries, flour-mills, saw-mills, flax-mills, freezing-rooms, bone-mills, seed-cleaning mills, tanneries, rope-walks, soap and candle works, smelting works, and brick and tile works or potteries; or to hay and corn and chaff-cutting, corn-crushing, wool-washing and boiler-making establishments; or to malthouses and breweries; or to cheese and sugar-refining factories, or to sugar-mills or shearing sheds.

21. Where a bakehouse having employed therein one or more persons is situated in any district under this Act—

(1) No place on the same level with the bakehouse and forming part of the same building shall be used as a sleeping place, unless such sleeping place is effectually separated from communication with the bakehouse by a partition extending from the floor to the ceiling, and there is an external glazed window in such sleeping place of at least 9 superficial feet in area, of which at least  $4\frac{1}{2}$  superficial feet are made so as to open for ventilation ;

(2) no earth or water closet, cesspit, urinal or ashpit shall be within or communicate with the bakehouse ;

(3) any cistern for supplying water to the bakehouse shall be separate and distinct from any cistern supplying water to a water closet ;

(4) no drain-pipe for carrying off fæcal or sewage matter shall have an opening within the bakehouse.

Any person who lets or occupies, or continues to let or knowingly suffers to be occupied, any place in which there is a breach of the provisions of this Section shall be liable to a penalty not exceeding for the first offence twenty shillings, and for every subsequent offence to a penalty not exceeding five pounds.

22. The Minister may, by notice in writing, forbid the occupier of a factory to permit any employees therein to take their meals in any room while work is being carried on therein, and may direct an occupier to erect or provide a suitable room or place in the factory or in connection therewith for the purpose of a dining or eating room for employees in such factory.

If the occupier fail to comply with such notice within a reasonable time, the factory shall be deemed not to be kept in conformity with this Act.

23. If it appear to the inspector that—

(a) in a factory where grinding glazing, or polishing on a wheel, or any other process is carried on whereby dust is generated which is inhaled by the employees to an injurious extent, such inhalation could be to a great extent prevented by the use of a fan or by other mechanical means of ventilation ; or

(b) in a factory in which atmospheric humidity is artificially produced by steaming or other mechanical appliances whereby the health of the employees is, or may be, injuriously affected, such humidity could be to a great extent lessened by the adoption of a sufficient means of prevention—

the inspector may serve on the occupier a notice requiring him to provide a fan or other sufficient means of prevention, as the case may be ; and if the same be not, within a reasonable time, provided, maintained, and used, the factory shall be deemed not to be kept in conformity with this Act.

24. (1) Every occupier of a factory or shop shall cause to be provided suitable sitting accommodation for all females employed in his factory or shop, in the proportion of one seat to every three females employed, and such sitting accommodation shall be conveniently situated for the use of the persons for whom the same is provided.

(2) The occupier of any factory or shop shall allow every female employed therein to make use of such sitting accommodation at all reasonable times during the day, when such use would not necessarily interfere with the proper discharge by such female of her duties.

24a. Where, in the opinion of the Minister, a change of the dress of any females employed in a factory or shop is rendered necessary by the work to be done, or is desirable for the comfort of such employees, the occupier of such

factory or shop shall, at the request in writing of the Minister on or before the date fixed in such request, provide suitable dressing-rooms for such employees, under a penalty not exceeding one pound for each day such room is not provided after the day fixed for so doing.

25. Every occupier of a factory or shop who causes or permits wearing apparel to be made, cleaned or repaired in, or issues any materials from, any building, whether a factory or not, in which any person is suffering from a disease declared by or under any law relating to public health to be an infectious disease, shall be liable to a penalty not exceeding twenty pounds, unless he proves that he was not aware of the existence of the disease in the building and could not reasonably have been expected to become aware of it.

25a. Where in connection with any factory any employees are lodged in any premises in the possession of the occupier of the factory, whether attached to or detached from such factory, all such premises shall be open to inspection by an inspector, and in respect thereof he may exercise all the powers as to sanitary requirements which he is entitled to exercise in respect of the factory.

25b. Where it appears to an inspector that any act, neglect or default in relation to any drain, water-closet, privy, ashpit, water supply, nuisance or other matter in, about or in the vicinity of a factory, is punishable, or that the consequences of such act, neglect or default are remediable, under any law relating to the public health or any other law, but not under this Act, such inspector shall give notice in writing to the authority generally administering the Act, or the local authority in whose district the factory is situate, and it shall be the duty of such authority to make such inquiry into the subject to the notice and take such action thereon as to such authority may seem proper for the purpose of enforcing or carrying out the law.

#### PART IV.—THE FENCING OF MACHINERY AND PROTECTION FROM FIRE.

26. The traversing carriage of any self-acting machine erected after the commencement of this Act shall not be allowed to run out within a distance of 18 inches from any fixed structure not being part of the machine, if the space over which it so runs out is a space over which any person is likely to pass, whether in the course of his employment or otherwise.

27. In any action brought by an employee in a factory, or by his representatives, to recover damages from his employer for personal injury caused solely by a boiler explosion arising from the negligent employment of an incompetent person to take charge of a boiler used for driving an engine in connection with the factory, the fact of the injury shall be *prima facie* evidence—

(a) that the person so placed in charge was incompetent ;

(b) that the defendant was guilty of negligence in employing him ;

(c) that the plaintiff was injured through that person's incompetence ; but this presumption shall be deemed to be rebutted by the defendant if he proves that he took reasonable care to satisfy himself of the competency and fitness of such person to take charge of such boiler.

28. The occupier of a factory shall securely fence all dangerous parts of the machinery therein, and with respect to such fencing the following provisions shall have effect :—

(1) Every hoist or teagle and every fly-wheel directly connected with the steam or water or other mechanical power, whether in the engine-house or not, and every part of a steam engine or other engine used for generating mechanical power, and water-wheel, shall be securely fenced ; and

(2) every wheel-race not otherwise secured shall be securely fenced close to the edge of the wheel-race ; and

(3) every part of the mill-gearing and every cog-wheel shall either be securely fenced or be in such position or of such construction as to be equally safe to every person employed in the factory or workroom as it would be if it were securely fenced ; and

(4) all fencing shall be constantly maintained in an efficient state while the parts required to be fenced are in motion or use for the purpose of any manufacturing process.

A factory in which there is a contravention of this Section shall be deemed not to be kept in conformity with this Act.

29. If an inspector considers that in a factory any part of the machinery of any kind, moved by steam, water, or other mechanical power, to which the provisions of this Act with respect to the fencing of machinery do not apply, is not securely fenced, and is so dangerous as to be likely to cause bodily injury to any person employed in the factory—

(1) the inspector shall serve on the occupier of the factory a written notice to fence the machinery which he considers dangerous as aforesaid ;

(2) the occupier, within seven days from the receipt of such notice, may serve on the inspector a written requisition to refer the matter to arbitration, and thereupon the matter shall be referred to arbitration, to be conducted under the regulations ;

(3) if the arbitrators or their umpire decide that it is unnecessary or impracticable to fence the machinery alleged in the notice to be dangerous, the notice shall be cancelled and the occupier shall not be required to fence in pursuance thereof, and the costs of the reference shall be paid as the expenses of the inspector under this Act ;

(4) if the occupier does not within the said seven days serve on the inspector a requisition to refer the matter to arbitration, or does not appoint an arbitrator within the time required by the regulations, or if the arbitrators or the umpire decide that it is necessary and practicable to fence the machinery alleged in the notice to be dangerous, the occupier shall securely fence such machinery in accordance with the notice, or with the award of the arbitrators or umpire if it modifies the notice, and the costs of the reference shall be borne by either or both parties to the arbitration, as the arbitrators or the umpire may decide, and any portion of the costs to be borne by the occupier shall be a debt due by him to the inspector, and shall be recoverable in any court of competent jurisdiction ;

(5) if the occupier of a factory fails to comply within a reasonable time with the notice or award, or fails to keep the said machinery securely fenced in accordance therewith, or fails to constantly maintain such fencing in an efficient state while the machinery required to be fenced is in motion, the factory shall be deemed not to be kept in conformity with this Act.

30. The Minister may on complaint by an inspector, and on being satisfied that any machine or mill-gearing used in a factory is in such a condition that it cannot be used without danger to life or limb, by order, prohibit such machine or mill-gearing from being used, or (if it is capable of repair or alteration) from being used until it is duly repaired or altered to the Minister's satisfaction on the report of the inspector. Any employer who disobeys such order shall for each offence be liable to a penalty not exceeding ten pounds for every day on which the machine or mill-gearing is used in contravention of the order.



31. (1) In every factory and shop the opening of every hoistway, elevator or lift, or well-hole shall at each floor be provided with and protected by good and sufficient trap-doors or self-closing hatches, and safety catches, or by such other safeguards as the inspector may approve, which shall be kept closed at all times when they are not in actual use.

(2) If an elevator or lift in a factory or shop used for the conveyance of employees or other persons is considered by an inspector to be unsafe or dangerous to use, he may prohibit the occupier or shopkeeper from using such elevator or lift until it is made safe to the inspector's satisfaction. Should any occupier or shopkeeper use, or permit to be used, such elevator or lift at any time whilst its use is so prohibited, he shall be liable to a penalty of twenty shillings for each time such elevator or lift is so used.

32. A male under 16 years of age or female shall not be allowed to have the care, custody, management or working of any elevator or lift in any factory or shop.

A male under 18 years of age or female shall not be allowed—

(a) to clean such part of the machinery in a factory as is mill-gearing while the same is in motion for the purpose of propelling any part of the manufacturing machinery; or

(b) to work between the fixed and traversing part of any self-acting machine while the machine is in motion by the action of steam, water or other mechanical power.

An employee allowed to act in contravention of this Section shall be deemed to be employed in contravention of this Act.

33. Where there occurs in a factory any accident, produced either by machinery moved by steam, water, or other power, or through a vat, pan, or other structure, filled with hot liquid or molten metal, or other substance, or by explosion, or by escape of gas, steam, or metal, which either—

(a) causes loss of life to an employee in the factory; or

(b) causes bodily injury to any employee in the factory, such as to prevent him from returning to his work in the factory within 48 hours of the occurrence of the accident—

written notice of the accident shall forthwith be sent to the inspector for the district stating the cause of death or the nature and extent of the injury, as the case may be, and the residence of the person killed or injured, or the place to which he has been removed. The Minister may, if he thinks fit, obtain a report from a legally qualified medical practitioner, or other competent person, upon the nature, extent and cause of such death or injury.

34. (1) In every factory erected after the passing of this Act, and in which 10 or more persons are employed, and in any existing factory where the Minister, by notice in writing, may so require, the main inside and outside doors shall open outwards, and all the doors of every room in a factory in which persons are actually at work, or passages leading to such rooms, or serving as entrances and exits shall neither be locked, bolted, nor barred during working hours.

(2) In every factory there shall be such means of extinguishing fire as the inspector, acting under the regulations, may direct.

(3) Every factory in which persons are employed above the first floor shall, in addition to the usual fire escapes, distinct from the stairs in ordinary use, be provided, on each floor above the first floor, with means by which persons prevented by flames or smoke from descending by the ordinary ways may

be enabled to descend in safety from windows or other openings or by external stairs, ladders, or by such other means as may be deemed sufficient. All such means to be approved in writing by the chief officer of fire brigades, or any officer of fire brigades appointed by him in that behalf.

(4) In the event of the occupier objecting to carry out any structural alterations in his buildings required by the Minister, he may refer the matter to arbitration, as provided in §29.

#### PART V.—AGES OF PERSONS EMPLOYED IN FACTORIES, AND CERTIFICATES.

35. No child shall, unless by special permission of the Minister, be employed in any factory; and no such special permission shall be given to a child under the age of 13 years.

35a. The Minister may, by order, prohibit the employment in any factory or class of factory, at or in connection with any machinery described in such order as dangerous, of males under the age of 16 years or of females in any work in which he considers it undesirable that they should be employed.

Where in any factory there is a contravention of any such order, the occupier of the factory, who has been served with a copy of such order, shall be deemed to be guilty of an offence against this Act.

36. No male under 18 years of age and no female shall be employed continuously in a factory for more than five hours without an interval of at least half-an-hour for a meal.

37. (1) No male under 16 years of age and no female shall be employed in a factory for more than 48 hours in any one week :

Provided that any such person may be employed overtime in a factory for a period not exceeding three hours in any day beyond the ordinary working hours on not more than 30 days in a year, or by the written permission of the Minister, where he is satisfied that an extension of overtime is required to meet the exigencies of trade, for not more in all than 60 days in a year.

No such person, however, may be employed overtime on more than three consecutive days, and such overtime shall be paid for at the rate of time and a half. Such payment shall be made at intervals of not more than one month.

The occupier shall keep a record of all such overtime, and shall note against the name of each person so employed the hours of overtime worked by him or her, and shall furnish a copy of such record to the inspector when called upon to do so.

(2) Notice of having availed himself of the proviso to Sub-section (1) of this Section shall be given by the occupier of the factory to an inspector, or such other person as the Minister may name, within 48 hours after the commencement of the working of such overtime, and a copy thereof shall be affixed in the factory within such period. The notice shall be accompanied by a statement, signed by the occupier, of the facts on which he relies to show that such working was *bona fide* for the purpose of meeting the exigencies of trade.

(3) The occupier of a factory shall keep a record each week, in the form and containing the particulars prescribed, of the occasions on which he avails himself of the said proviso.

(4) If the Minister is not satisfied that such working was *bona fide* for the purpose of meeting the exigencies of trade, he shall give notice in writing of his dissatisfaction to the occupier; and unless the occupier, within

one month from such notice, proves to the satisfaction of the Minister that such working was *bona fide* for such purpose, the Minister shall direct that a record be made that the working was not *bona fide* for such purpose.

(5) If the Minister directs such record to be made in regard to any occupier of a factory three times within any twelve months, such occupier shall not thereafter at any time be entitled to avail himself of the said proviso, unless by the special permission of the Minister.

(6) If any person contravenes any provision of this Section he shall be liable, on conviction, to a penalty for the first offence not exceeding five pounds, and for any subsequent offence not exceeding twenty pounds.

38. No person mentioned in the First Schedule to this Act shall to the extent mentioned therein, be employed in the factories or parts thereof mentioned in that Schedule, and notice of the prohibition shall be posted by the occupier in every factory to which it applies.

39. (1) A person under the age of 16 years shall not be employed in such classes of factories as may from time to time be determined by regulation unless the occupier of the factory has obtained a certificate in the prescribed form of the fitness of such person for employment in that factory.

(2) A certificate of fitness for the purposes of this Act may be granted by any legally qualified medical practitioner, and shall be to the effect that he is satisfied by the production of a certificate of birth or other sufficient evidence that the person named in the certificate of fitness is of the age therein specified, and that such person has been personally examined by him, and is not incapacitated by disease or bodily infirmity from working daily for the time allowed by law in the factory named in the certificate.

(3) The certificate of birth which shall be produced to such legally qualified medical practitioner may be either—

(a) a certified copy of the entry in a register of births kept in pursuance of any Act in force for the time being relating to the registration of births of the birth of the person (and such certificate of birth shall be given by the registrar without fee); or

(b) a statutory declaration made by some competent person as to the age of the person for whom it is desired to obtain a certificate of fitness for employment.

(4) The occupier shall, when required, produce to an inspector at the factory at which a person under 16 years of age is employed the certificate of fitness of such person for employment which he is required to obtain under this Section.

40. No occupier shall employ a male under 16 years of age or a female—

(a) in any factory;

(b) in the business of but outside any factory—

between the hours of 6 o'clock in the evening and 6 o'clock in the morning, unless in the case of overtime, and subject to the restrictions contained in §37 :

Provided that where it is proved to the satisfaction of the Minister that the custom or exigencies of the trade carried on in any class of factories or parts thereof, either generally or situate in any particular locality, or other reasons, require or make it desirable that such trade should be exempted from the operation of this Section, he may by order grant to such class of factories or parts thereof a special exemption and for such time as he may think fit.

41. Where an inspector is of opinion that a person under the age of 16 years is, by disease or bodily infirmity, incapacitated for working daily for the time allowed by law in a factory, he may serve written notice thereof on the occupier, requiring that the employment of such person be discontinued from the period named therein, not being less than one nor more than seven days after the service of such notice; and the occupier shall not continue after the period named in such notice to employ such person (notwithstanding a certificate of fitness has been previously obtained for such person) unless a legally qualified medical practitioner has, after the service of the notice, personally examined such person and has certified that such person is not so incapacitated as aforesaid.

42. No female shall be employed during the four weeks immediately after her confinement.

42A. (1) In any factory where any Chinese works, and in any other factory where any person is employed in preparing or manufacturing articles of furniture, no person shall work, or shall employ or authorise or permit any person whomsoever to work on any day before half-past 7 o'clock in the morning or after 6 o'clock in the evening, or on a Saturday after 1 o'clock in the afternoon, or on Sunday at any time whatever; and no portion of a factory used for the purpose of preparing or manufacturing goods or articles for trade or sale shall at any time be used as a sleeping place.

(2) If any person offends against any of the provisions of this Section, he shall for each and every day in which he offends be liable on conviction to a penalty for the first offence not exceeding ten pounds, and for a second or subsequent offence not exceeding twenty-five pounds; and the registration of a factory, the occupier of which is convicted under this Section of a third offence, shall be forthwith cancelled by the Minister.

(3) In any prosecution for an offence against this Section, evidence—

(a) that at any time during which work is prohibited by this Section in any factory, sounds have been heard, such as would ordinarily be heard if made by persons engaged in such factory in the usual work therein carried on; and

(b) that during such time any member of the police force or inspector was refused or could not gain immediate admission to such factory, shall be *prima facie* proof that the provisions of this Section have been contravened by the defendant.

(4) In order to meet the exigencies of trade, the Minister may, subject to the conditions and restrictions imposed in §37, suspend the operation of this Section relating to the working hours in any one or more factories for any period not exceeding two months.

## PART VI.—SHOPS.

43. (1) Except as hereinafter provided, a male under 16 years of age or a female under 18 years of age shall not work in or in connection with any shop for a longer time than 52 hours in any one week, or for a longer time than 9½ hours in any one day, except on one day in each week, when 11½ hours work may be done, but such shall not apply to the occupier of a shop or any member of the occupier's family employed in such shop.

(2) Any such person may, however, be employed in a shop for a period not exceeding three hours on any day beyond the ordinary working hours, provided that the total number of days in any one year on which in any shop

or at any work in connection with a shop any such male or female is so employed shall not exceed 52.

(3) No male under 18 years of age and no female shall be employed continuously in a shop for more than five hours without an interval of at least half an hour for a meal.

(4) No male under 16 years of age and no female under 18 years of age shall be employed during any day in any shop, or at any work in connection with a shop, if he or she has been previously employed the same day in a factory for eight hours, or in any case for a longer period than will, together with the time during which he or she has been so previously employed, complete the number of eight hours.

(5) The occupier of a shop in which or in connection with which any contravention of this Section occurs shall on conviction be liable to a penalty for the first offence of not more than two pounds, and for every subsequent offence of not less than two pounds nor more than five pounds.

Nothing in this Section shall apply to shops of the classes included in the Second Schedule to this Act.

44. The Governor may, subject to the provisions of this Act, make regulations under which males under 16 years of age and females under 18 years of age may be employed in any shops of the classes included in the Second Schedule to this Act.

#### PART VII.—MISCELLANEOUS.

45. (1) Every breach or contravention of this Act, or the regulations thereunder, shall be reported to the Minister by the inspector in manner prescribed, and no prosecution shall be instituted without the authority of the Minister.

(2) In a prosecution for any such breach or contravention, an authority to prosecute, purporting to have been signed by the Minister, shall be *prima facie* evidence of such authority, without proof of the Minister's signature.

46. No occupier of a factory or shop shall contract with any employee against any liability under this Act.

47. All penalties imposed by this Act, or the regulations made thereunder, may be recovered summarily before a stipendiary or police magistrate or any two or more justices of the peace. And if the amount of any such penalty, together with the costs (if any) ordered to be paid upon any conviction be not paid within the time mentioned in the order, payment thereof may be enforced by distress and sale of the offender's goods and chattels, and in default of sufficient distress such offender shall be liable to imprisonment for such term as may be provided by this Act or the regulations for the offences of which he was convicted, or if no special term be provided, for any term not exceeding three calendar months, unless such penalty and costs be sooner paid.

48. Any order or notice to be served under this Act, or the regulations thereunder, and any summons to be served in respect of any breach or contravention of the provisions of this Act, or the regulations hereunder, or for the recovery of any penalty, shall be deemed to be duly served upon the occupier of a factory or a shop, if such order, notice or summons be affixed to the door or some other conspicuous part of the factory or shop.

49. If a factory or shop is not kept in conformity with this Act, or of the regulations thereunder, or if in any factory or shop there is a contravention or breach of any of the provisions of this Act, or of the regulations thereunder, or if the occupier of a factory or shop fails to comply with an order or request made by the Minister or an inspector in pursuance of the Act or regulations, the occupier shall, on conviction, if no other penalty is provided, be liable to a penalty not exceeding ten pounds. The magistrate or justices, in addition to or instead of inflicting a penalty, may order certain means to be adopted by the occupier within some time to be named in the order for the purpose of bringing his factory or shop into conformity with this Act, and may, upon application, enlarge the time so named ; and if after the expiration of the time originally named or enlarged upon subsequent application the order is not complied with, the occupier shall be liable to a penalty not exceeding one pound for every day that such non-compliance continues.

50. Where any person is employed in a factory or shop contrary to the provisions of this Act, the occupier of the factory or shop shall be liable to a penalty not exceeding two pounds, or if the offence was committed during the night, three pounds for each person so employed. A person who is not allowed time for meals as required by this Act, or is in contravention of the provisions of this Act employed in the factory or shop, shall be deemed to be employed contrary to the provisions of this Act.

51. The parent or guardian having control of a male person under 16 years of age, or female person under 18 years of age, shall, if such person is employed in a factory or shop contrary to the provisions of this Act, be liable, on summary conviction before a stipendiary or police magistrate or any two or more justices of the peace, to a penalty not exceeding twenty shillings for each offence, unless it appears that such offence was committed without the consent, connivance, or wilful default of the parent or guardian.

52. Where a male or female employee is in the opinion of the Court apparently of the age alleged by the informant, it shall lie on the defendant to prove that such employee is not of that age.

53. Any person who forges or counterfeits any certificate for the purposes of this Act (for the forgery or counterfeiting of which no other punishment is provided), or who knowingly utters or makes use of any certificate so forged or counterfeited, or who personates any person named in a certificate, shall be liable to imprisonment for a term not exceeding twelve months with or without hard labour. Any person who wilfully makes a false entry in any book, register, notice, certificate, list, record, or document required by this Act to be kept or served, or who wilfully makes or signs a false declaration or return under this Act, or who knowingly makes use of any false entry or false declaration or return, shall, on summary conviction before a stipendiary or police magistrate, or any two or more justices of the peace, be liable to a penalty not exceeding twenty pounds for each offence, or to be imprisoned for a term not exceeding three months, with or without hard labour.

54. Where the occupier of a factory is charged with an offence against this Act or the regulations hereunder, he shall be entitled upon information duly laid by him to have any other person whom he charges to be the actual offender brought before the magistrate or justices at the time appointed for hearing the charge, and if after the commission of the offence has been proved, the occupier of the factory proves to the satisfaction of the magistrate or justices that he used due diligence to enforce the provisions of the Act and regulations, and

that the said other person committed the offence in question without his knowledge, consent or connivance, the said other person shall be summarily convicted of such offence, and the occupier shall be exempt from any penalty.

55. In addition to the powers already conferred, the Governor may, by notice in the *Gazette*, from time to time, make, alter, and repeal regulations for prescribing forms of notices to be given and returns and records to be made under this Act, and the particulars to be set forth therein; and, generally, for carrying into effect the provisions of this Act; and may impose any penalty not exceeding twenty pounds for the breach of any regulation.

56. The Governor may also make regulations—

(a) to provide for the increase or reduction of the temperature of any rooms in a factory or shop;

(b) to prescribe the precautions to be taken against the risk of accident in a factory, and to impose on certain persons the duty of seeing that such precautions are taken;

(c) to require the adequate lighting of any factory or portion thereof;

(d) to prescribe the cubical spaces and the amount of ventilation for each person employed in a factory or in a room in a factory, and to prevent the overcrowding of persons so employed;

(e) to prescribe the material of the flooring and ceiling of factories;

(f) to prescribe the dimensions of dressing rooms in factories or shops;

(g) to regulate closet accommodation in factories and shops with regard to situation, design, construction, material, approach, space, and ventilation, as may be necessary for decency or the health and convenience of employees, and to secure proper sanitation;

(h) prescribing that separate closet accommodation for members of each sex employed in a factory or shop and who are not all members of the same family shall be provided;

(i) to compel the supply of sufficient wash-basins and water for the use of employees in factories or shops;

(j) to compel the supply of sufficient cold drinking water for the use of such employees;

(k) to compel the fencing of stairways, tanks, vats, and grindstones in factories;

(l) extending the provisions of §22 of this Act so as to apply to shops or any specified classes of shops;

(m) extending the provisions of Sub-section (1) of §34 of this Act so as to apply to shops or to any specified classes of shops;

(n) regulating the construction of doors of exit in any specified classes of shops, and providing for uninterrupted exit by such doors during working hours;

(o) imposing any penalty not exceeding twenty pounds for the breach of any regulation made under this Section:

Provided that the Minister, by notification in the *Gazette*, may exempt any shops or classes of shops from any regulations made under paragraph (h) or paragraph (l) of this Section, and may amend or revoke any such notification.

## FIRST SCHEDULE.

(Factories in which the employment of persons is restricted.)

1. In a part of a factory in which there is carried on—
  - (a) the process of silvering of mirrors by the mercurial process; or
  - (b) the process of making white-lead—
 a person under 18 years shall not be employed.
2. In the part of a factory in which the process of melting or annealing glass is carried on, a male person under 16 years of age and a female under 18 years of age shall not be employed.
3. In a factory in which there is carried on—
  - (a) the making or finishing of bricks or tiles, not being ornamental tiles; or
  - (b) the making or finishing of salt—
 a female under 18 years of age shall not be employed.
4. In a part of a factory in which there is carried on—
  - (a) any dry grinding in the metal trade;
  - (b) the dipping of lucifer matches—
 a person under 16 years of age shall not be employed.
5. No person under 16 years of age shall be employed at or in connection with any manufacturing process or machine where continuous casting from molten lead or any combination thereof is carried on in a printing establishment.

## SECOND SCHEDULE.

Chemists' shops; coffee-houses; confectioners; eating-houses; fish and oyster shops; fruit and vegetable shops; restaurants; booksellers' and newsagents' shops; tobacconists' shops; hotels.

2. An Act to make provision for the supervision and regulation of factories, bakehouses, laundries, dye-works, and shops; for the limitation in certain cases of the hours of working therein; to extend the liability of employers for injuries suffered by employees in certain cases; and for other purposes. (Assented to, 18th November, 1896.)\*
3. An Act to provide a minimum wage for certain persons; to make better provision in certain cases for the payment of overtime and tea-money; to amend the Factories and Shops Act, 1896; and for purposes consequent thereon and incidental thereto. (Assented to, 24th December, 1908.)\*
4. An Act to amend the Factories and Shops Act of 1896; and for other purposes. (Assented to, 29th December, 1909.)\*
5. Factories and Shops Act, No. 3, 1896, and Factories and Shops (Amendment) Act, No. 28, 1909. Regulations.\* (Assented to, 24th June, 1910.)

## III. Netherlands

1. *Besluit van den 20sten October, 1911, houdende wijziging van het Koninklijk besluit van 19 October, 1896 (Staatsblad No. 163), tot uitvoering der Stoomwet, zooals dit in verband met het Koninklijk besluit van 25 Juni, 1906 (Staatsblad No. 135), moet worden gelezen (Staatsblad No. 320).*

**Decree to amend the Royal Decree of 19th October, 1896 (Staatsblad, No. 163), respecting the administration of the Steam Act in the form in which the said Decree is to be read in connection with the Royal Decree of 25th June, 1906 (Staatsblad, No. 135). 20th October, 1911.**

\* The texts of these Acts are embodied in the Consolidated Act (see p. 165).



2. *Besluit van den 16den December, 1911, tot bekendmaking in het Staatsblad van het op 26 September, 1906, te Bern gesloten internationaal verdrag nopens het verbod van het gebruik van witten (gelen) phosphorus bij het vervaardigen van lucifers* (Staatsblad No. 361).

**Decree to publish the international agreement respecting the prohibition of the use of white (yellow) phosphorus in the manufacture of matches, concluded at Berne on 26th September, 1906. (16th December, 1911.)**

3. *Besluit van den 16den December, 1911, tot bekendmaking in het Staatsblad van het op 26 September, 1906, te Bern gesloten internationaal verdrag nopens het verbod van nachtarbeid van vrouwen die in de nijverheid werkzaam zijn* (Staatsblad No. 362).

**Decree to publish the international agreement respecting the prohibition of the night-work of women in industrial employment, concluded at Berne on 26th September, 1906. (16th December, 1911.)**

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# Bulletin

OF THE

# INTERNATIONAL LABOUR OFFICE

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[NOTE.—The German, French, and English editions of the *Bulletin* are referred to as G.B., F.B., and E.B., respectively.]

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## National Labour Legislation

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### 1. LAWS AND ORDERS

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#### I. Germany

##### (A) EMPIRE.

1. *Bekanntmachung betr. das Verfahren bei Anstellung, Kündigung und Entlassung von Angestellten und Beamten der Krankenkassen sowie bei Streitigkeiten aus deren Dienstverhältnissen.* (Nr. 4011.) Vom 12. Januar 1912. (Reichs-Gesetzblatt 1912, Nr. 5, S. 150.)

**Notification relating to the method adopted for engaging, giving notice, and dismissing employees and officials of Sick Funds, and in the case of disputes arising out of their service conditions.** (No. 4011.) Dated 12th January, 1912.

2. *Bekanntmachung, betr. die Invaliden und Hinterbliebenenversicherung der deutschen Bediensteten ausländischer Staaten und solcher Personen, welche nicht der inländischen Gerichtsbarkeit unterstehen.* (Nr. 4032.) Vom 6. März 1912. (Reichs-Gesetzblatt 1912, Nr. 13, S. 191.)

**Notification relating to the invalidity and survivors' insurance of German employees of foreign States, and of such persons as are not subject to the jurisdiction of the German Courts.** (No. 4032.) Dated 6th March, 1912.

The Federal Council has determined, in pursuance of §1231 of the Imperial Insurance Code, that German employees of foreign States and of such persons as are not subject to the jurisdiction of German Courts shall have to comply with the obligations of employers in regard to invalidity and survivors' insurance in conformity with the regulations of the fourth book of the Imperial Code.

3. *Bekanntmachung betr. die Erhebung von Beiträgen zur Invaliden und Hinterbliebenenversicherung für Deutsche, die bei einer amtlichen Vertretung des Reichs oder eines Bundesstaats im Ausland oder bei deren Leitern oder Mitgliedern beschäftigt sind.* (Nr. 4033.) Vom 6. März 1912. (Reichs-Gesetzblatt 1912, Nr. 13, S. 191.)

**Notification relating to the collection of contributions 'for [the] invalidity and survivors' insurance of German subjects who are employed abroad by an official agency of the Empire or a Federal State or by the Directors or members of the same.** (No. 4033.) Dated 6th March, 1912.

The Federal Council has determined, in pursuance of §§1436, 1228 of the Imperial Insurance Code, as follows:—

1. German subjects who are employed abroad by an official Agency of the Empire or by the directors or members of the same, shall be insured at the Provincial Insurance Institute, Berlin.

German subjects who are employed abroad by an official Agency of a Federal State or by the directors or members of the same, shall be insured with that Insurance Institute which is competent for the capital of the Federal State.

2. Their employers shall pay the contributions in conformity with the regulations contained in the Imperial Insurance Code. They shall provide receipt cards for the insured persons and be responsible for the exchange of the same.

4. *Bekanntmachung, betr. die Beschäftigung von Arbeiterinnen und jugendlichen Arbeitern in Glashütten, Glasschleifereien und Glasbeizereien, sowie Sandbläsereien.* (Nr. 4036.) Vom 20. März 1912. (Reichs-Gesetzblatt 1912, Nr. 14, S. 193.)

**Notification relating to the employment of women and young workers in glass works, glass grinding and glass etching works, as well as in sand-blasting works.** (No. 4036.) Dated the 20th March, 1912.

The Federal Council has resolved, in pursuance of §§120e and 139a of the Industrial Code, as follows:—

The Regulations dated the 5th March, 1902 (Reichs-Gesetzblatt, p. 65), relating to the employment of women and young workers in glass-works, glass-grinding and glass-etching works, as well as in sand-blasting works, shall remain in force until the 1st April, 1913.

## (B) PROTECTORATES.

### I. CAMEROON.

1. *Verordnung des Gouverneurs von Kamerun, betr. die Barlöhnung Farbiger.* Vom 17. April, 1907. (Deutsches Kolonialblatt XVIII., Nr. 13, S. 608.)

**Order of the Governor of Cameroon relating to the payment of natives' wages in cash.** (Dated 17th April, 1907.)

2. *Verordnung, betr. Regelung des Trägerwesens.* Vom 4. März 1908. (Amtsblatt für das Schutzgebiet Kamerun 1908, Nr. 2, S. 8.)

**Order for regulating the system prevailing in connection with carriers.** (Dated 4th March, 1908.)

3. *Arbeiter-Schutz-Bestimmungen für den Bau der Kamerun -Nord- und Mittel-landbahn.* Vom 14. August 1909. (Amtsblatt für das Schutzgebiet Kamerun 1909, Nr. 24, S. 300.)

**Regulations relating to the protection of workers in connection with the construction of the Cameroon Northern and Central Railway.** (Dated 14th August, 1909.)

## II. GERMAN SOUTH-WEST AFRICA.

1. *Vorläufige Verordnung des Kaiserlichen Gouverneurs von Deutsch-Südwestafrika, betr. die Anwerbung und Arbeitsverhältnisse der aus dem Ambolande kommenden eingeborenen Arbeiter.* Vom 16. März 1911. (Amtsblatt für das Schutzgebiet Deutsch-Südestafrika 1911, Nr. 24, S. 309.)

**Preliminary Order of the Imperial Governor of German South-West Africa, relating to the recruiting and working conditions of native workers from the Amboland.** (Dated 16th March, 1911.)

2. *Bekanntmachung des Gouverneurs, betr. Erläuterung der vorläufigen Verordnung vom 16. März 1911.* Vom 16. März 1911. (Amtsblatt für das Schutzgebiet Deutsch-Südwestafrika 1911, Nr. 24, S. 311.)

**Notification of the Governor to explain the preliminary Order, dated 16th March, 1911.\*** (Dated 16th March, 1911.)

## III. SAMOA.

*Gouvernements-Verordnung, betr. die Einwanderung und Niederlassung von Chinesen in Samoa.* Vom 1. März 1903. (Deutsches Kolonialblatt XIV., Nr. 8, S. 170.)

**Order of the Governor relating to the immigration and settlement of Chinese in Samoa.** (Dated 1st March, 1903.)

## IV. GERMAN NEW GUINEA.

*Verordnung des Gouverneurs von Deutsch-Neuguinea, betr. die Einwanderung und Einführung nicht einheimischer Eingeborener in das Schutzgebiet Deutsch-Neuguinea.* Vom 1. November, 1908. (Deutsches Kolonialblatt XX., Nr. 4, S. 153.)

**Order of the Governor of German New Guinea relating to the immigration and introduction of non-indigenous natives into the Protectorate of German New Guinea.** (Dated 1st November, 1908.)

## (C) FEDERAL STATES.

### I. PRUSSIA.

1. *Der Minister für Handel und Gewerbe an die Herren Regierungspräsidenten und den Herrn Polizeipräsidenten in Berlin, betr. Krankheiten der Arbeiter in Tischlereien und Sägewerken.* Vom 21. Juni 1911. (Ministerialblatt der Handels-und Gewerbeverwaltung 1911, Nr. 13, S. 257.)

**The Minister of Commerce and Industry to the Presidents of Government districts and the President of the Police in Berlin, in regard to illnesses of workers employed in joineries and saw mills.** (Dated 21st June, 1911.)

\* Title E.B. VII., p. 185, No. 1.

2. *Der Minister für Handel und Gewerbe an die Herren Regierungspräsidenten und den Herrn Polizeipräsidenten in Berlin betr. Verfahren bei Genehmigung gewerblicher Anlagen.* Vom 19. Juli 1911. (Ministerialblatt der Handels- und Gewerbeverwaltung 1911, Nr. 15, S. 303.)

**The Minister of Commerce and Industry to the Presidents of Government districts and the President of the Police in Berlin in regard to the procedure when approving industrial undertakings.** (Dated 19th July, 1911.)

3. *Der Minister für Handel und Gewerbe und der Minister des Innern an die Herren Regierungspräsidenten und den Herrn Polizeipräsidenten zu Berlin betr. Anlegung und Betrieb von Fabriken zur Herstellung von Ammoniak-salpetersprengstoffen.* Vom 4. August 1911. (Ministerialblatt der Handels- und Gewerbeverwaltung 1911, Nr. 16, S. 316.)

**The Minister of Commerce and Industry and the Minister of the Interior to the Presidents of Government districts and the President of the Police of Berlin, in regard to the installation and management of works for the production of nitrate of ammonia explosives.** (Dated the 4th August, 1911.)

4. *Der Minister der öffentlichen Arbeiten, der Minister für Handel und Gewerbe und der Minister des Innern an die Herren Regierungspräsidenten betr. Arbeiterfürsorge auf Bauten.* Vom 19. August 1911. (Ministerialblatt der Handels- und Gewerbeverwaltung 1911, Nr. 20, S. 395.)

**The Minister of Public Works, the Minister of Commerce and Industry, and the Minister of the Interior, to the Presidents of Government districts in regard to the protection of workers engaged in building operations.** (Dated 19th August, 1911.)

5. *Der Minister der geistlichen und Unterrichtsangelegenheiten der Minister für Landwirtschaft, Domänen und Forsten, und der Minister des Innern an die Herren Regierungspräsidenten betr. Stellenvermittlergesetz.* Vom 24. August 1911. (Ministerialblatt der Handels- und Gewerbeverwaltung 1911, Nr. 17, S. 328.)

**The Minister of Ecclesiastical and Educational Affairs, the Minister of Agriculture, Domains and Forests, and the Minister of the Interior, to the Presidents of Government districts, in regard to the Employment Agents Act.** (Dated 24th August, 1911.)

6. *Der Minister für Handel und Gewerbe, der Minister für Landwirtschaft, Domänen und Forsten, und der Minister des Innern an die Herren Regierungspräsidenten betr. Stellenvermittlergesetz.* Vom 10. November, 1911. (Ministerialblatt der Handels- und Gewerbeverwaltung 1911, Nr. 23, S. 424.)

**The Minister of Commerce and Industry, the Minister of Agriculture, Domains and Forests, and the Minister of the Interior, to the Government Presidents in regard to the Employment Agents Act.** (Dated 10th November, 1911.)

7. *Bekanntmachung zur Ausführung der Reichsversicherungsordnung.* Vom 7. Dezember 1911. (Ministerialblatt der Handels- und Gewerbeverwaltung 1911, Nr. 24, S. 447.)

**Notification in regard to the carrying out of the Imperial Insurance Code.** (Dated 7th December, 1911.)

8. *Der Minister der öffentlichen Arbeiten, der Minister für Handel und Gewerbe, und der Minister des Innern an die Herren Regierungspräsidenten und den Herrn Polizeipräsidenten in Berlin, betr. Herstellung von Zelluloidwaren und Zelluloidlagerräumen.* Vom 11. Dezember 1911. (Ministerialblatt der Handels- und Gewerbeverwaltung 1912, Nr. 1, S. 4.)

**The Minister of Public Works, the Minister of Commerce and Industry, and the Minister of the Interior, to the Presidents of Government districts and the President of the Police in Berlin, in regard to the manufacture of celluloid goods and celluloid store-rooms.** (Dated 11th December, 1911.)

9. *Der Minister für Handel und Gewerbe an die Herren Regierungspräsidenten und an den Herrn Polizeipräsidenten in Berlin, betr. Beschäftigung von Arbeiterinnen und jugendlichen Arbeitern in Rohzuckerfabriken u.s.w.* Vom 14. Dezember 1911. (Ministerialblatt der Handels- und Gewerbeverwaltung 1911, Nr. 25, S. 454.)

**The Minister of Commerce and Industry, to the Presidents of Government districts and the President of the Police in Berlin, in regard to the employment of women and young workers in raw sugar factories, etc.** (Dated 14th December, 1911.)

10. *Der Minister für Handel und Gewerbe an die Herren Regierungspräsidenten und den Herrn Polizeipräsidenten in Berlin, betr. Einrichtung und Betrieb von Wassergas-Halbwassergas- und Sauggasanlagen.* Vom 5. Januar 1912. (Ministerialblatt der Handels- und Gewerbeverwaltung 1912, Nr. 2, S. 14.)

**The Minister of Commerce and Industry, to the Presidents of Government districts and the President of the Police in Berlin, in regard to the installation and management of water gas, semi-water gas, and suction gas plants.** (Dated 5th January, 1912.)

11. *Der Minister für Handel und Gewerbe und der Minister des Innern an die 5 Königlichen Oberbergämter sowie die beteiligten Herren Regierungspräsidenten, betr. elektrische Starkstromanlagen, die mit Bergwerken in Zusammenhang stehen.* Vom 11. Januar 1912. (Ministerialblatt der Handels- und Gewerbeverwaltung 1912, Nr. 2, S. 16.)

**The Minister of Commerce and Industry and the Minister of the Interior, to the five Royal Chief Mining Boards, as well as the Presidents of Government districts concerned, in regard to electric power installations in connection with mines.** (Dated 11th January, 1912.)

12. *Der Minister für Handel und Gewerbe an die Regierungspräsidenten und den Herrn Polizeipräsidenten in Berlin, betr. Einrichtung und Betrieb gewerblicher Anlagen, in denen Thomasschlacke gemahlen oder Thomas-schlackenmehl gelagert wird.* Vom 6. Januar 1912. (Ministerialblatt der Handels- und Gewerbeverwaltung 1912, Nr. 2, S. 20.)

**The Minister of Commerce and Industry, to the Presidents of Government districts and the President of the Police in Berlin, in regard to the installation and working of industrial premises where Thomas slag is ground or Thomas slag powder is stored.** (Dated the 6th January, 1912.)

13. *Der Minister für Handel und Gewerbe an (a) die Herren Regierungspräsidenten und den Herrn Polizeipräsidenten in Berlin ; (b) die Königlichen Oberbergämter, Bergwerksdirektionen, Bernsteinwerke in Königsberg und die Berginspektion Rüdersdorf, betr. Unfälle im elektrischen Betriebe.* Vom 10. Januar 1912. (Ministerialblatt der Handels- und Gewerbeverwaltung 1912. Nr. 4, S. 50.)

**The Minister of Commerce and Industry, to (a) the Administrative Presidents of Government districts and the President of the Police in Berlin ; (b) the Royal Chief Mining Boards, Mining Directorates, amber mines in Königsberg, and the Mining Inspectorate of Rudersdorf, in regard to accidents with electrical plant. (Dated 10th January, 1912.)**

14. *Der Minister für Handel und Gewerbe an die Herren Regierungspräsidenten und den Herrn Polizeipräsidenten in Berlin, betr. Gesetz über Aenderung der Gewerbeordnung vom 27. Dezember 1911.* Vom 13. Februar 1912. (Ministerialblatt der Handels- und Gewerbeverwaltung 1912. Nr. 5, S. 58.)

**The Minister of Commerce and Industry, to the Presidents of Government districts and the President of the Police in Berlin, in regard to the Act relating to the amendment of the Industrial Code dated 27th December, 1911.\* (Dated 13th February, 1912.)**

The Act dated 27th December of last year relating to the amendment of the Industrial Code will come into force on 1st April of this year.\* (R.G.Bl. 1912, p. 139.)

1. The existing regulations (§120) relating to continuation schools have been enlarged in the following respects :—

1. The authorisation to communes and other communal unions to render it compulsory by statutory regulations for male workers under the age of 18 and female commercial assistants and apprentices under the age of 18 to attend a continuation school, has been extended to all women under the age of 18 who are subject to the Industrial Code.

2. Compulsory attendance of young workers at continuation schools fixed by statutory regulations shall be applicable to the period of their unemployment. The obligation to attend a continuation school shall not be rendered invalid prior to reaching the higher age limit fixed by statute in consequence of their leaving their industrial employment, but only by their entering an employment which is not subject to the regulations of the Industrial Code, as, for instance, that of domestic servants.

3. If a commune or a larger communal union fails to introduce by by-law the compulsory attendance of industrial workers under 18 years of age at continuation schools, in spite of the request addressed to them by the Higher Administrative Authority, upon request of interested employers or workers, within the fixed period, the Higher Administrative Authority may introduce the said compulsory attendance by order.

In this case, the Higher Administrative Authority shall be the President of the Government District, and, as regards Berlin, the Chief President.

The above-mentioned regulations form the means to further the system of continuation schools also in such places where hitherto independent action on the part of the communes and larger communal unions has been impossible for some reason or other. By its means, efforts are now made to put the obligation to attend continuation schools on a uniform basis, for all groups of male

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\* Text E.B. VII., p. 105.

industrial workers in communes with 10,000 or more inhabitants, by administrative action, either by erecting compulsory continuation schools where such are not in existence, or by extending the obligation to attend to groups of industrial workers which have not been subjected to the said compulsion under the by-laws. This is especially applicable to factory workers and unskilled labourers. These regulations shall also be applied to smaller communes where it is expected that the attendance at a compulsory continuation school may be adversely affected or has been so affected by the fact that the persons subject to attend the school accept work within a commune in the neighbourhood where, hitherto, they have not been subject to the said compulsory attendance.

In regard to the course of procedure to be adopted by the authorities, the following should be noted :—

In any case an attempt must be made to come to an agreement with the interested commune, etc., by way of negotiation prior to making use of the authorisation granted by §120, paragraph 4. Proper regard must be had to the financial position of the commune, etc., and it must be ascertained in how far the grant of a Government subsidy may be considered necessary, and, should you not have the necessary funds at your disposal, my decision in regard thereto must be demanded. The model regulations (*see* H.M.Bl., 1903, p. 411; 1907, p. 318; 1909, p. 119) shall be taken, if necessary, as a guide with reference to the issue of the order, and as a rule it shall be determined that compulsory school attendance is to be introduced as from year to year.

The authorisation provided for in §120, paragraph 4, presupposes that an application has been made by interested employers or workers. In all probability there will be no want of such applications, as the recognition of the value of regular attendance at the continuation schools gains ground more and more. The opening of negotiations with the communes, etc., in regard to the elaboration of the continuation school system is, of course, not dependent upon the said proposals, but shall be duly instituted at your discretion.

4. The hours of instruction shall be fixed and made known by the authorities competent in that regard according to the law of the State—that is to say, by the communal council, and in the case of associations formed for the purpose, the executive council, and, in the case of districts (*Kreis*), the *Landrat*. The fixing of the hours of instruction required, according to several decisions of the Supreme Court of Judicature (*see* Decree dated 20th April, 1909, IV. 3747), in the form of statutory regulations, has thereby been rendered unnecessary. As a rule, the form required for any ordinary official notification will commend itself; any other form, however, which adequately brings the fixed hours of instruction to the notice of the persons subject to compulsory attendance at the continuation schools and the employer, will be sufficient.

II. In regard to the protection of workers, the principal deviations from the existing law are as follows :—

1. The regulations of §114a, hitherto applicable relating to wage-books and work-tickets, are replaced by the new §§114a and 114e; the existing regulations of the Federal Council remain in force until the new provisions contemplated therein are published by the Federal Council.

2. The new §§120e and 120g take the place of §120e hitherto in force.

§120e regulates the authorisation of the Federal Council, the Central Authorities of the State, and the Police Authority hitherto contained in §120e, paragraphs 1 and 2, to issue general regulations as to what stipulations shall



be observed in certain kinds of undertakings for the purpose of enforcing the fundamental principles contained in §§120a and 120c, and empowers, in deviation from the law in force, the aforesaid authority to incorporate in these regulations also provisions in regard to the conduct of workers in the undertaking.

§120f regulates the authorisation hitherto referred to in §120e, paragraph 3, for branches of industry in which the health of the worker is endangered by excessive working hours, to stipulate the duration of the permissible daily working hours. Whereas this authorisation was hitherto reserved to the Federal Council and could be applied by the same to all the undertakings of one branch of industry only, in a uniform manner, the new §120f conveys this authority to the Central Authorities of the State and the Police authorities, and enlarges such authority in regard to the latter, inasmuch as the police authorities are thereby empowered to reduce, by separate orders, even in the case of single undertakings, excessive working hours which may endanger the health of the workers.

§120g reproduces the regulations hitherto contained in §120e, paragraph 4.

When carrying out these regulations, Nos. 198 to 202, of the Administrative Order, dated 1st May, 1904\* (H.M.Bl., p. 123), shall be faithfully observed. For the time being, I shall refrain from supplementing the same. Which police authority shall be considered as competent, within the meaning of §§120e and 120f, will be seen from No. 5 of the Administrative Order, dated 1st May, 1904.

3. The stipulation hitherto in force and contained in §134—that in factories wages-books shall be kept for workers under age—has been repealed; in the place of the same, the rule has now been substituted that in works employing at least 20 workers the latter shall be handed, with each regular payment of wages, a written voucher stating the amount of the wages earned, and showing the nature of various deductions which may have been made. Contraventions of this Order will entail a penalty in conformity with §150, paragraph 1 (2).

It appears, therefore, necessary to take suitable steps to draw the attention of the proprietors of undertakings affected by this Order to its provisions immediately. It will be advisable to use for this purpose, *inter alia*, the daily papers and to re-print in the same the complete wording of §134, paragraph 2, while mentioning the district within which the same will apply and the penalty referred to in §150, paragraph 1 (2).

4. The penal regulations have, moreover, been amended as follows:—

(a) The regulations issued in pursuance of §§120e and 120f have been placed on a level with the regulations issued in pursuance of §§139 and 139a, and are contained in §146, paragraph 1 (2). Both classes of regulations will, in future, however, only be subject to a threat of punishment in conformity with §146, paragraph 1 (2), in so far as they convey a prohibition to employ workers for certain work, or regulate intervals of rest during and after the working hours and night rest;

(b) Contraventions by workers of regulations of the Federal Council in regard to their conduct during the working hours [§120e, paragraph 1 sentence 2] are subject to the penalty contemplated in §150a;

(c) All contraventions of the regulations issued in virtue of §§120e, 120f, 139, and 139a not mentioned under the headings of (a) and (b), are subject to the penalty referred to in §147, paragraph 1 (4);

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\* Text G.B. III., p. 160, No. 1.

(d) In the case of contraventions referred to in §146, paragraph 1 (2), and those mentioned in §146a, which relate to contraventions of §§105b to 105g, a considerably heavier punishment has been stipulated for a second repetition of the offence.

For the purpose of avoiding misunderstanding, it is recommended that the industrial inspectors, when proposing that a penalty should be imposed, should always expressly refer to the regulations of the Act dated 27th December, 1911\* (R.G.Bl., 1912, p. 139), and, in the case of a repetition of the offence, they shall point this out expressly. For this purpose the industrial inspectors shall, in future, record in the registers which they are bound to keep, in conformity with No. III., 5, of the regulations for the internal service, dated 3rd June, 1901 (IIIa., 2062), every punishment which has been inflicted.

I request you to draw the attention of interested authorities to the amendments of the legal regulations.

15. *Der Minister für Handel und Gewerbe und der Minister des Innern an die Herren Regierungspräsidenten und zur gleichmässigen Beachtung an den Herrn Polizeipräsidenten in Berlin, betr. Ausführung des Hausarbeitgesetzes.* Vom 16. März 1912. (Ministerialblatt der Handels-und Gewerbeverwaltung 1912, Nr. 7, S. 94.)

**The Minister of Commerce and Industry and the Minister of the Interior, to the Presidents of Government districts, to be observed also by the President of the Police in Berlin, in regard to the carrying out of the Home Work Act. (Dated 16th March, 1912.)**

For the purpose of carrying out the Home Work Act dated 20th December, 1911 † (R.G.Bl., p. 976), we have to-day issued the instructions of which five copies are herewith enclosed. You will publish these as soon as possible in a supplement to the official Government Gazette (Regierungsamtsblatt), and immediately forward a copy to the police authorities in your district. The printing works of Julius Sittenfeld have been entrusted with the printing of this supplement, and will shortly forward you the number of copies required for the local police authorities. The new definition of "home worker" created by the Act has, as can be seen from §1, not been drawn up from an economic point of view, but from the standpoint of industrial inspection, inasmuch as through the Act, beyond the limits of the existing regulations of Imperial law, it is intended to enable the authorities to regulate also those undertakings where no strangers are industrially employed. In deviation from §119b of the Industrial Code, the definition of "home worker" includes also those persons (except in so far as they are excepted in conformity with §1, paragraph 1, sentence 2) who do not work for definite employers, but are engaged in the manufacture of industrial products for stock and for immediate consumption. On the other hand, persons who are employed by industrial employers outside the workplace of the latter in the production of industrial products (§119b, Industrial Code), are not to be considered home workers within the meaning of the Act, and for that reason are not subject to these regulations, if they in turn employ workers in their workshops or workrooms. They are, however, subject to the regulations of the Act in regard to the employment of home workers, in so far as they themselves employ such workers.

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\* Text E.B. VII., p. 105.

† Text E.B., VII., p. 7, No. 5.

So-called middlemen, employing in their workshops or workrooms persons who belong exclusively to their own family, are to be considered home workers in so far as they come within the meaning of §1, paragraph 1 (1) of the Act; should they also employ other home workers, they are likewise subject to the legal regulations respecting the employment of home workers. The definition of employment in family undertakings within the meaning of §1, paragraph 1 (1), does not presume, we may observe by the way, the existence of an industrial working agreement, and, on the part of the employed, the capacity of an industrial worker. Members of families must be considered as employed if they actually assist with the work.

For the closer inquiries prescribed in Nos. 4-7 and Nos. 8 of the Administrative Order, in regard to the putting into force of §§3 and 4 of the Act, the President of the Government District, and, in the case of Berlin, the President of the Police, shall be responsible. I, the Minister of Commerce and Industry, request you to report on the result by 1st October of this year.

#### ENCLOSURE.

The following regulations are issued for carrying out the Home Work Act dated 20th December, 1911.\* (R.G.Bl., p. 976):—

#### *Authorities.*

1. By the designation of "Higher Administrative Authority," within the meaning of §5, paragraph 3, §9, paragraph 3, shall be understood: For the Police District of Berlin, the Chief President; in all other cases, the President of the Government District.

2. By "Police Authorities," within the meaning of §10, paragraph 3, §§14 and 16, shall be understood those authorities who are empowered to issue police regulations; by "police authority," within the meaning of §5, paragraph 1, §6, paragraph 1, shall be understood the industrial inspector; in all other cases, the local police authorities.

3. By the designation of "local police authority" shall be understood that official or authority entrusted with the administration of the local police.

#### *Publication of Wages (§3).*

4. For the purpose of preparing the coming into operation (postponed for the time being in conformity with §34 of the Act) of the provisions of §3, in regard to the exhibition of wages lists or tables, a closer inquiry shall at once be instituted for the purpose of ascertaining which industrial branches or kinds of undertakings may require exemption from the said regulation.

5. In this connection, and in view of the fact that the regulation has now been declared in the Act as a generally binding rule, it is necessary to start from the point of view that, in consideration of the purpose aimed at by the Regulation, the fact that compliance with it would cause the employer certain difficulties and that, on the other hand, the rates of wages are considered as sufficiently known, or that no essential benefit to the home worker is expected from the enforcement of the same, shall not be considered a sufficient reason for exemption. Also, in so far as a considerable number of different rates in any one undertaking are concerned, it should be ascertained whether the Regulation cannot be complied with by a suitable arrangement of the lists or wages tables, as, for instance, by attaching them to a vertical central axis, round which they can be made to rotate.

\*Text E.B. VII., p. 7, No. 5.

6. In particular, a closer inquiry is necessary with respect to branches of industry in which, apart from a large number of rates of wages, a frequent change in the said rates takes place continuously, as well as with respect to such branches of home work in which the home worker produces the article from material to be provided by himself. It may be a matter of doubt, in the last-mentioned cases, whether the money paid to the home worker represents the price of the article or wages, according as to whether the respective agreement is considered a contract of work or service. (See Lotmar, "der Arbeitsvertrag nach dem Privatrecht des Deutschen Reiches," Vol. I, pages 183, 189, 196, 208-209; Vol. II., pages 851-2, 885-6, 895, 903, 910.) In so far as such doubts exist, the respective branches of home work can, especially as contraventions of §3, paragraph 1, are subject to penalties under the Act, be made subject, as a rule, to this Regulation, only if at the same time it should prove possible in these cases to order, in accordance with §3, paragraph 3, in addition, the publication of the prices for the respective products. It must also be ascertained in how far such is the case.

7. Exemptions can only be granted by the Federal Council in accordance with §3, paragraph 2, of the Act, at the request of interested persons.

#### *Wages Books and Work Tickets (§4).*

8. For the purpose of preparing the coming into operation of §4, likewise postponed under §34 of the Act, a closer inquiry is also required as to what exemptions come into question in accordance with §4, paragraph 2. This, however, shall not apply to the making-up of clothing and underlinen in conformity with §4, paragraph 3. (See Notification relating to the introduction of wages books for the manufacture of clothing and underlinen, dated the 9th of December, 1902,\* R.G.Bl., p. 205.)

9. In the face of this generally binding regulation of the Act, exemptions based merely on the fact that the amount of the earnings does not give rise to doubt amongst the home workers cannot be justified in this case, either. When examining the question of how far exemptions may be necessary, the fact must be kept in view that, provided only the wages books or work tickets contain the required data in regard to the time and the extent of the work handed over, as well as in regard to the wages and prices fixed for the same, the detailed arrangements are left by the Act to the discretion of the employer.

#### *Avoidance of Unnecessary Loss of Time to the Home Worker when Receiving and Delivering Work (§5).*

10. In order that the loss of time caused to the home worker in receiving and delivering work may be kept within the limits required and justified by the nature of the undertaking, the industrial inspectors shall satisfy themselves of, and pay continuous attention to, the fact that in undertakings in which home workers are employed in comparatively large numbers, and in which the latter are obliged to call for the purpose of receiving and delivering the work, the rooms in which the work is handed out and delivered, are provided with a sufficient number of counters for handing out and receiving work, or with other means of dispatching the work, and that the said counters are properly attended to when open for the purposes for which they are intended. For the purpose of attaining the desired end, the management of the receiving and delivery rooms should be suitably organised, as, for instance, by fixing different hours for handing out and receiving work for the various kinds of

\* Text G.B. I., p. 605, No. 3.

work or in alphabetical order of the home workers' initials (for instance, A to M, and N to Z). In consideration of the fact that this organisation may, to a certain extent, restrict the liberty of the home worker with respect to deliveries, it will be advisable to consult previously the home workers concerned. It might also be advisable to issue special regulations for industries employing a considerable number of home workers, to the effect that the work to be handed out to the several home workers should be prepared in advance, not after the delivery of work.

11. Stipulations which go beyond the arrangement of the business premises, and the regulation of the work in the issuing and receiving rooms, as, for instance, with regard to the sending out of the work by the employer to the home workers, are not admissible according to the Act.

12. In cases in which, according to the Decrees of 28th April, 1896, and 25th January, 1897 (M.f.H.u. G.B. 1666 and 11 923), all building applications concerning industrial premises are sent to the industrial inspectors for the expression of an opinion before being approved, it will be advisable, in the case of undertakings which employ home workers in large numbers, to extend the inquiries of the supervising officials to the question as to whether sufficient rooms are provided for issuing and receiving home work.

*Police Orders (§§6-9)—Police Regulations (§10, paragraph 3 ; §§15, 16.)*

13. Police orders may be issued in virtue of §6 in so far as the particular kind of employment may carry with it danger to life, health, or morality, not only for the home worker himself, but also for the members of his family who are not industrially employed. The issue of the order depends, according to the Act, on the application of the industrial inspector, and special emphasis is laid upon the point that the orders should be issued in consideration of the peculiar nature of the respective branch of industry and of the special circumstances of every single case. This requirement of the Act is complied with without further question, if the industrial inspectors issue the orders without requesting the assistance of the local police authorities, which they are exclusively competent to do in virtue of No. 2 of these instructions with respect to the measures to be taken in virtue of §6, paragraph 1. It was expressly recognised during the proceedings of the *Reichstag*, with respect to the similarly worded §120f, paragraph 2, of the Industrial Code, that the wording of the Act does not run contrary to this (compare Act relating to the amendment of §114a, etc., of the Industrial Code, dated 27th December, 1911,\* R.G.Bl., p. 139).

14. The removal of the dangers to life, health, or morality arising out of the kind of occupation in the home industries, shall be effected, in accordance with the intention of the Act, as far as possible without endangering the conditions of existence of the industries themselves. In view of the unfavourable economic position of many home workers, §6 must be enforced in a gradual manner and with special care. The aim which the Act has in view will be best attained, especially in places where the earning conditions of the home workers are unsatisfactory, if it is possible to make employers, by whom home workers are regularly employed, recognise to a greater extent than has hitherto been the case that the duties of an employer are incumbent upon them also with respect to their home workers and to get them to interest themselves in the improvement of the working conditions in the said home

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\*Text E.B. VII., p. 105.

industries which have been found to be unsatisfactory according to §6, paragraph 1. In such cases, therefore, in which it appears impossible for the home workers to carry out the necessary alterations in the establishment or in the working appliances themselves, without essentially injuring their livelihood, the inspectors must take the necessary steps to induce the employers to grant assistance for this purpose.

It shall be reserved for special regulations to fix the conditions under which State funds may be made available for the purpose in question, in order to assist the said endeavours of the industrial inspectors, in cases in which the employers are prepared to grant assistance.

15. While the measures necessary for the removal of dangers arising out of the kind of occupation to the life, health, or morality of the home workers themselves or to the members of their families will have to be taken generally and, in the first instance, according to the conditions of the single cases, the manner in which these measures are taken has a more general importance in view of the protection of public health according to §7, in so far as the manufacture, working, or packing of foodstuffs or articles of consumption in home industries will have to be regulated in many cases, should objections against the same exist, not by an order for any single case, but rather by a general Order of the Federal Council (§10, paragraph 1), the Central Authority of the State, or by way of police order (§10, paragraph 3).

16. Workshops in which work is carried on exclusively for the personal requirements of the customer or of his family—that is to say, handicrafts and other small industries working without assistants for direct customers, which otherwise do not come under the Act in a general way, are subject to regulation according to §7, paragraph 3.

According to §16, the regulation may be extended also, beyond the scope of home industries, by police order, to industries which otherwise fall under the provisions of the Industrial Code.

17. The police orders must contain indications respecting the admissible legal remedies, such as appeal to the President of the Government District, and, for the Police District of Berlin, to the Chief President (§9, paragraph 3). Since by the Act penalties are imposed for infringements of instructions finally decreed (§§28, 29, 31), it is not admissible to insert in the order, side by side with the former, a threat of certain penalties in virtue of the L.V.G., §132, No. 2.

On the contrary, if it is desired to emphasise the order, reference should be made to the disadvantages entailed by the non-compliance with the same—that is to say, to the legal penalties. If necessary, the compulsory means indicated in L.V.G., §132, Nos. 1 or 3, may be referred to by way of warning.

18. A copy of a police order issued by the local police authorities must be sent immediately to the industrial inspector.

19. No. 200, paragraphs 1 to 3, of the administrative instructions in connection with the Industrial Code of 1st May, 1904,\* apply in a corresponding manner to the carrying out of the orders.

#### *Obligation to Give Notice (§12).*

20. The obligation to give special written notice to the local police authorities before commencing a certain industry, which is provided for in §12 of the Act, applies only in so far as the regulation of home work has been effected by Orders of the Federal Council, the Central Authority of the State,

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\*Title G.B. III., p. 160, No. 1.

or by police orders for a definite branch of industry. Notice is to be given by the person who is entitled to dispose of the room used as a working place.

21. The notices received by the local police authority must be examined in order to ascertain whether they indicate the situation of the workshop and show the kind of industry. Incomplete notices must be returned for the purpose of being completed.

On the basis of the notices, which must be collected in special files separately for every branch of home industry regulated by the authorities, the local police authority shall keep for the several branches of regulated home industry separate lists of the home industries in their district under consecutive numbers, with indications of the situation of the workshop. These lists are to be submitted for inspection to the competent industrial inspector upon his request.

*Proof as to the Condition of the Work Rooms (§13, paragraph 1, No. 2, paragraph 2).*

22. It is also a condition for the obligation referred to in §13—to the effect that home work should be given out only to workshops with respect to which a proof that their conditions satisfy the regulations has been furnished—that the particular branch of industry is regulated by Orders of the Federal Council, the Central Authority of the State, or by police order, and that it is obligatory to furnish such a proof.

23. In so far, therefore, as there exists such an obligation, it shall hold good in the same way as for those employers who give out work directly to home workers and for the managers of branches of such undertakings (§32, paragraph 1), also for the so-called middlemen who cause home work to be undertaken outside their workshops (§13, paragraph 1, No. 2), and for the so-called distributors and factors who, without owning a workshop themselves, undertake the distribution of home work on behalf of the employers (§13, paragraph 2). Persons such as, for instance, messengers who simply undertake to carry the work from the place where it is given out to the home worker, without participating in any way in the arrangements concerning the distribution of the work, are not under this obligation.

24. In order to avoid, as far as possible, in branches of industry which are subject to the obligation to furnish the said proof, any impediment in the carrying on of their business, as in the case of changes of residence, in consequence of delays in providing the said proof, provisional proofs may be granted if the new residence falls short, in secondary points only, of the prescribed requirements, but otherwise complies with the same, with the proviso that the remaining objections shall be put right subsequently within a suitable period to be fixed.

*Keeping of Registers (§§13, 14).*

25. The regulations with respect to the keeping of registers shall be generally valid without further question from the date on which this Act comes into force. Commencing from 1st April, 1912, the following registers are to be kept by the parties hereafter mentioned:—

(1) A register of the home workers employed—

By the owners and managers of branches of the industries in question (§32, paragraph 1, of the Act), in so far as they employ home workers direct—that is to say, not through the intermediary of a middleman or distributor;

By so-called middlemen for the persons employed by them with home work outside their workshops ;

By so-called distributors (factors or persons not possessing their own industrial workshop) for those home workers to whom they give out home work on behalf of industrial employers (who, in most cases, will be residing in other places).

(With respect to messengers, *see* No. 23 of these Instructions.)

(2) A register of the middlemen and distributors employed—

By the owners and managers of branches of industry, with respect to persons by whom work is given out to home workers outside the workshops on behalf of the undertakings, whether such persons (as, for instance, middlemen) are themselves concerned at the same time with the manufacture of the products or whether they (as, for instance, the distributors) are chiefly the intermediaries for the distribution of the work ;

Middlemen who cause the work undertaken to be carried out exclusively in their own workshops and work rooms, and who therefore do not pass on the work to home workers, are not to be entered in the register.

26. The registers must contain the names of the home workers, of the middleman, and of the distributor, together with an indication of the work-places of the said persons. In so far as it should become necessary to issue more detailed instructions with respect to the arrangement of the registers, the same may be effected in accordance with §14 by police order to be issued by the competent police authority after having consulted the owners of industrial undertakings and home workers concerned.

27. In order that the authorities may obtain reliable information concerning the extent of home work in their respective districts, the necessary steps must be taken on or before 1st July of this year in order that the registers (*see* No. 25 of these Instructions) may be handed in for inspection to the local police authorities and to the industrial inspector (§13, paragraph 1, No. 1). In so far as in any given district only comparatively few undertakings, previously known to the authorities (undertakings, branches, and middlemen), employing home workers or distributors are concerned, it will be advisable to prescribe, by police order (§14) that copies of the register shall be handed to the local police authority. When issuing police regulations, consideration must be paid at the same time to the question of how far it will be necessary to prescribe, for the future, a repeated submission of the said registers. The local police authorities must examine the copies in order to see how far it will be necessary, in accordance with No. 28 of these instructions, to inform local police authorities in other parts of the country, and then to send them to the competent industrial inspector.

Generally, the possession of the copies will not have the same importance for the local police authorities as for the industrial inspectors. In so far, however, as such might be the case, the police order may also contain a rule that one copy must be sent to the local police authority and one copy to the industrial inspector.

28. If it is seen from the register that home workers, middlemen, or distributors are employed in another district within the boundaries of the State, the local police authority must communicate to the other competent local police authority the names of the said persons with indications of the



workplace, for the purpose of obtaining the most complete information possible with respect to the home workers and of facilitating control with reference to the carrying out of §13 of the Act. The latter local police authority must bring these names to the knowledge of the industrial inspector.

29. The industrial inspectors must prepare for their records the necessary extracts from the registers submitted to them (§13, paragraph 1, No. 1), and keep them separately for the several branches of industry, in the same way as the copies of the lists and the communications sent to them in accordance with No. 28 of these Instructions.

For branches of home work which, by reason of the dangers to life, health, or morality arising out of any particular kind of occupation (§6 of the Act), require particular supervision on the part of the industrial inspectors, it will not be possible to dispense with registers of the home industries carried on within the district of the industrial inspectors. How far such registers are to be kept and how they are to be arranged will be left for the present to regulations to be issued by the State and Industrial Councillors.

### *Supervision (§17).*

30. Supervision with respect to the carrying out of the regulations concerning—

(a) §5 of the Act, by which it is intended to avoid unjustified delay in receiving or delivering work, to the prejudice of the home workers ;

(b) §6, paragraph 1, of the Act, by which it is intended to avoid danger to life, health, or morality, in consequence of the particular nature of the work—

is effected by the industrial inspectors. The local police authorities, however, are bound to proceed upon request of the latter to a subsequent inspection respecting the carrying out of the police regulations issued by the industrial inspectors.

31. Supervision with respect to the provisions of §12 of the Act, concerning the notice to be given to the local police authority, is effected by the local police authorities.

32. In other respects, supervision of the carrying out of the Act is exercised by the local police authorities and the industrial inspectors. In so far as, according to §15 of the Act, an obligation is imposed for particular branches of industry to the effect that the persons carrying on an industrial undertaking (also managers of branches and middlemen) and distributors must inform themselves as to the arrangement and working of the workshops, either personally or by persons instructed by them, special attention must be given to the question as to whether this obligation has been complied with.

33. The industrial inspectors must enter in their inspector's note book the inspections carried out by them, and the said note books must be kept in accordance with No. 111, §6, of the Rules for the Internal Service of the Industrial Inspectorate. The question of how far remarks concerning the inspections carried out by the industrial inspectors are to be entered also in the register, to be kept according to No. 29, paragraph 2, of these Instructions, is also reserved, until further notice, to regulations to be issued by the State and Industrial Councillors.

34. More detailed Instructions respecting the establishment of trade committees is reserved until the orders of the Federal Council provided for in §24 of the Act, which concern the establishment and composition of trade committees and the procedure to be followed by the same, have been issued.

16. *Der Minister für Handel und Gewerbe an die Königl. Oberbergämter, betr. Gesetz über Aenderung der Gewerbeordnung vom 27. Dezember 1911. Vom 20. März 1912. (Ministerialblatt der Handels- und Gewerbeverwaltung 1912. Nr. 7, S. 92.)*

**The Minister of Commerce and Industry, to the Royal Chief Mining Offices, with reference to the Act relating to the modification of the Industrial Code dated 27th December, 1911.\* (Dated 20th March, 1912.)**

17. *Polizeiverordnung, betr. die Beförderung gefährlicher Gegenstände mit Kauffahrteischiffen. Vom 30. März 1912. (Ministerialblatt der Handels- und Gewerbeverwaltung 1912. Nr. 9 Beilage, S. 183.)*

**Police Order relating to the transport of dangerous articles by merchant vessels. (Dated 30th March, 1912.)**

## 2. BAVARIA.

1. *Das K. Staatsministerium des königlichen Hauses und des Aeussern an die K. Regierungen, Kammern des Innern, die Distrikts- und Ortspolizeibehörden sowie an die K. Gewerbeärzte, betr. Einrichtung und Betrieb der Metallbeizeren. Vom 14 Juli 1911. (Amtsblatt der K. Staatsministerien des königlichen Hauses und des Aeussern und des Innern 1911. Nr. 30, S. 524.)*

**The Royal Minister of State of the Royal House and for Foreign Affairs, to the Royal Governments, Chambers of the Interior, the District and local Police Authorities, as well as to the Royal Industrial Councillors, in regard to the equipment and management of metal pickling plants. (Dated 14th July, 1911.)**

2. *Bekanntmachung des K. Staatsministeriums des königlichen Hauses und des Aeussern, betr. Stellenvermittlung. Vom 16. Dezember 1911. (Gesetz und Verordnungsblatt für das Königreich Bayern 1911, Nr. 82, S. 1336.)*

**Notification of the Royal Minister of State of the Royal House and for Foreign Affairs, relating to employment agencies. (Dated 16th December, 1911.)**

3. *Königliche Verordnung über das Landesversicherungsamt und die Versicherungsanstalten. Vom 29. Dezember 1911. (Gesetz- und Verordnungsblatt für das Königreich Bayern 1911, Nr. 84, S. 1365.)*

**Royal Decree relating to the Provincial Insurance Office and the Insurance Institutes. (Dated 29th December, 1911.)**

4. *Bekanntmachung über den Vollzug der Reichsversicherungsordnung und des dazu ergangenen Einführungsgesetzes. Vom 29. Dezember 1911. (Gesetz- und Verordnungsblatt für das Königreich Bayern 1911. Nr. 84, S. 1368.)*

**Notification in regard to the execution of the Imperial Insurance Code and the Introductory Act promulgated in connection therewith. (Dated 29th December, 1911.)**

5. *Erllass des Staatsministeriums des Königlichen Hauses und des Aeussern, betr. Beschäftigung von Arbeiterinnen bei Bauten. Vom 20. Februar 1912.*

**Decree of the Ministry of State of the Royal House and for Foreign Affairs, relating to the employment of women in building operations. (Dated 20th February, 1912.)**

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\* Text E.B. VII., p. 105.

Paragraph 7 of §137 of the Industrial Code, in virtue of which women may not be employed for conveying material in building operations of all kinds, shall come into force as from 1st April, 1912. (See §5 of the amending Act relating to the Industrial Code, dated 28th December, 1908,\* R.G.Bl., p. 667 *et seq.*)

§137, paragraph 7, of the Industrial Code refers to surface building operations above and below ground.

The orders of the Supreme Police Authorities, dated 21st November, 1908† (G.V.Bl., p. 990), relating to the employment of female workers in building operations, will be partly replaced by this provision of Imperial legislation.

While, on the one hand, these orders of the Supreme Police Authorities are protected by the penal regulations of §147, paragraph 1 (4) of the Industrial Code, the infringements of §137, shall, on the other hand, be subject to the strict penal regulations of §146, paragraph 1 (2), of the Industrial Code.

The observance of the prohibition of §137, paragraph 7, of the Industrial Code shall be emphatically insisted upon.

To the Royal Governments, Chambers of the Interior, the Royal Industrial Councillors, the District and Local Police Authorities.

6. *Oberpolizeiliche Vorschriften der K. Staatsministerien des königlichen Hauses und des Aeussern, sowie des Innern über Zelluloidbetriebe und Zelluloidlager.* Vom 9. März 1912. (Gesetz- und Verordnungsblatt für das Königreich Bayern 1912, Nr. 14, S. 77.)

**Orders of the Supreme Police Authorities of the Royal Ministries of State, of the Royal House, and for Foreign Affairs, as well as the Ministry of the Interior in regard to celluloid works and celluloid stores.** (Dated 9th March, 1912.)

### 3. SAXONY.

1. *Gesetz, die neue einheitliche Fassung der gesamten Berggesetzgebung enthaltend (Nr. 79).* Vom 31. August 1910. (Gesetz- und Verordnungsblatt für das Königreich Sachsen 1910, 16. Stück, S. 217.)

**Act containing the new uniform wording of the whole of the mining legislation.** (No. 79.) Dated 31st August, 1910.

2. *Verordnung, den Geschäftsbetrieb der gewerbsmässigen Stellenvermittler betreffend (Nr. 89).* Vom 20. Oktober 1910. (Gesetz- und Verordnungsblatt für das Königreich Sachsen 1910, 19. Stück, S. 426.)

**Order, relating to the business of professional employment agencies.** (No. 89.) Dated 20th October, 1910.

3. *Verordnung zur Ausführung des Allgemeinen Berggesetzes vom 31. August 1910 (Nr. 96).* Vom 20. Dezember 1910. (Gesetz- und Verordnungsblatt für das Königreich Sachsen 1910, 22. Stück, S. 485.)

**Order relating to the carrying out of the General Mining Act of 31st August, 1910.‡** (Dated 20th December, 1910.)

4. *Erlass des Ministers des Innern betr. Arbeitszeit der jugendlichen Arbeiter nach S. 136, Abs. 1, G.O. (Nr. 1,275, III. J.).* Vom 13. Februar 1911.

**Decree of the Minister of the Interior relating to the working hours of juvenile workers, in conformity with §136, paragraph 1, of the Industrial Code.** (No. 1275. III., J.). Dated 13th February, 1911.

\* Text E.B. III., p. 335.

† Text E.B. IV., p. 179, No. 1.

‡ Title E.B. VII., p. 200, No. 1.

5. *Verordnung, die Vornahme einer Statistik der gewerbmässigen Stellenvermittler betreffend* (Nr. 65). Vom 29. November 1911. (Gesetz- und Verordnungsblatt für das Königreich Sachsen 1911, 15. Stück, S. 212.)

**Order relating to the drawing up of statistics with respect to professional employment agents.** (No. 65.) Dated 29th November, 1911.

#### 4. WÜRTTEMBERG.

*Verfügung des Ministeriums des Innern, betr. den Vollzug des Vierten Buchs der Reichsversicherungsordnung.* Vom 13. Dezember 1911. (Regierungsblatt für das Königreich Württemberg 1911, Nr. 34, S. 691.)

**Order of the Ministry of the Interior relating to the execution of the Fourth Book of the Imperial Insurance Code.** (Dated 13th December, 1911.)

#### 5. BADEN.

1. *Verordnung des Ministeriums des Innern betr. die Beschäftigung jugendlicher Arbeiter bei der Bearbeitung von Faserstoffen, Tierhaaren, Abfällen oder Lumpen.* Vom 31. Dezember 1909. (Gesetzes- und Verordnungsblatt für das Grossherzogtum Baden 1910, S. 51.)

**Order of the Ministry of the Interior relating to the employment of young workers in the preparation of fibres, animal hair, cuttings or rags.** (Dated 31st December, 1909.)

2. *Verordnung des Ministeriums des Innern, betr. die Dampfkesselaufsicht.* Vom 27. April 1910. (Gesetzes- und Verordnungsblatt für das Grossherzogtum Baden 1910, S. 167.)

**Order of the Ministry of the Interior relating to the inspection of boilers.** (Dated 27th April, 1910.)

3. *Verordnung des Ministeriums des Innern, betr. die Anlage und den Betrieb von Steinbrüchen und Gräbereien.* Vom 12. Dezember 1910. (Gesetzes- und Verordnungsblatt für das Grossherzogtum Baden 1910, S. 724.)

**Order of the Ministry of the Interior, relating to the planning and management of stone quarries and excavation works.** (Dated 12th December, 1910.)

4. *Bekanntmachung, die Einführung der Reichsversicherungsordnung, hier die vorläufige Bestellung der Versicherungsbehörden betreffend.* Vom 16. Dezember 1911. (Gesetzes- und Verordnungsblatt für das Grossherzogtum Baden 1911, S. 537.)

**Notification relating to the introduction of the Imperial Insurance Code with respect to the provisional appointment of the Insurance Authorities.** (Dated 16th December, 1911.)

5. *Bekanntmachung, die Satzung der Landesversicherungsanstalt Baden betreffend.* Vom 18. Dezember 1911. (Gesetzes- und Verordnungsblatt für das Grossherzogtum Baden 1911, S. 538.)

**Notification relating to the Statute of the Provincial Insurance Institute of Baden.** (Dated 18th December, 1911.)

## 6. HESSE.

1. *Bekanntmachung, betr. die Beschäftigung von Arbeiterinnen und jugendlichen Arbeitern in Ziegeleien.* Vom 21. Februar 1910. (Grossherzoglich Hessisches Regierungsblatt 1910, S. 17.)

**Notification relating to the employment of women and young workers in brick or tile works.** (Dated 21st February, 1910.)

2. *Verordnung, betr. die Vollzugsverordnung zur Gewerbeordnung vom 22. September 1900.* Vom 24. März 1910. (Grossherzoglich Hessisches Regierungsblatt 1910, S. 131.)

**Order relating to the administrative Order concerning the Industrial Code, dated 22nd September, 1900.** (Dated 24th March, 1910.)

3. *Gesetz, den Arbeiterschutz und die Unfallverhütung bei Bauten betreffend.* Vom 8. Juli 1911. (Reichs-Arbeitsblatt X., S. 121.)

**Act relating to the protection of workers and the prevention of accidents during building operations.** (Dated 8th July, 1911.)

1. The Ministry of the Interior shall be empowered to issue, by means of Decrees, police regulations respecting the protection of workers and the prevention of accidents during building operations above and below ground. The Order may determine, at the same time, in how far notification shall be given prior to the commencement of the building operations, and, if necessary, during later stages of the building operations.

2. The supervision in regard to the observance of the Regulations issued in conformity with §1 shall be entrusted to the Government Building Departments without prejudice to the power vested in the Industrial Inspectorates.

In regard to building operations on behalf of the Empire or State, or building operations which are undertaken under the supervision of the State, the Ministry of the Interior may entrust the authorities or officials supervising the said building operations with the local inspection, in the place of the building inspectors.

3. Infringements of the Regulations issued in conformity with §1, except in so far as §147, paragraph 1 (4), of the Industrial Code applies or more severe penalties are incurred, will be punished by a fine not exceeding Mk. 300, or in default by imprisonment. Without prejudice to penal proceedings, the competent building inspectorate may order that the necessary steps be taken for compelling the observation of the Regulations. The procedure to be followed in regard to such cases shall be defined in the Regulations.

The provisions of §147, paragraph 4, and of §151, paragraph 1, of the Industrial Code shall also apply within the meaning of the Act to master builders and contractors who are not professional contractors, as well as to their employees.

4. The Ministry of the Interior is entrusted with the administration of this Act.

4. *Verordnung, die Ausführung der Reichsversicherungsordnung betreffend.* Vom 16. Dezember 1911. (Grossherzoglich Hessisches Regierungsblatt 1911, S. 587.)

**Order relating to the carrying out of the Imperial Insurance Code.** (Dated 16th December, 1911.)

5. *Verordnung, die Ausführung des vierten Buches der Reichsversicherungsordnung betreffend.* Vom 16. Dezember 1911. (Grossherzoglich Hessisches Regierungsblatt 1911, S. 588.)

**Order relating to the carrying out of the fourth book of the Imperial Insurance Code.** (Dated 16th December, 1911.)

6. *Bekanntmachung, die Ausführung des vierten Buches der Reichsversicherungsordnung betreffend.* Vom 21. Dezember 1911. (Grossherzoglich Hessisches Regierungsblatt 1911, S. 589.)

**Notification relating to the carrying out of the Fourth Book of the Imperial Insurance Code.** (Dated 21st December, 1911.)

7. *Bekanntmachung, die vorläufige Bestellung der Versicherungsbehörden betreffend.* Vom 27. Dezember 1911. (Grossherzoglich Hessisches Regierungsblatt, 1911, S. 597.)

**Notification relating to the provisional appointment of the Insurance Authorities.** (Dated 27th December, 1911, p. 597.)

## 7. MECKLENBURG-STRELITZ.

1. *Bekanntmachung, betr. die Beschäftigung von Arbeiterinnen und jugendlichen Arbeitern.* Vom 31. Dezember 1909. (Grossherzoglich Mecklenburg-Strelitzscher offizieller Anzeiger für Gesetzgebung und Staatsverwaltung im Fürstentum Ratzeburg 1910, S. 15.)

**Notification relating to the employment of women and young workers.** (Dated 31st December, 1909.)

2. *Verordnung zur Ausführung des Stellenvermittlergesetzes vom 2 Juni 1910.* Vom 26. September 1910. (Grossherzoglich Mecklenburg-Strelitzscher offizieller Anzeiger für Gesetzgebung und Staatsverwaltung im Fürstentum Ratzeburg 1910, S. 278.)

**Order for the carrying out of the Act relating to employment agents, dated 2nd June, 1910.\*** (Dated 26th September, 1910.)

## 8. BRUNSWICK.

1. *Verordnung über die Gewerbeaufsicht.* Vom 24. Februar 1910. (Gesetz- und Verordnungssammlung für die Herzoglich Braunschweigischen Lande 1910, S. 65.)

**Order relating to Industrial Supervision.** (Dated 24th February, 1910.)

2. *Bekanntmachung zur Ausführung der Gewerbeordnung.* Vom 26. Februar 1910. (Gesetz- und Verordnungssammlung für die Herzoglich Braunschweigischen Lande 1910, S. 69.)

**Notification in regard to the carrying out of the Industrial Code.** (Dated 26th February, 1910.)

3. *Verordnung über die Ausführung des Stellenvermittlergesetzes vom 2. Juni 1910.* Vom 13. Oktober 1910. (Gesetz- und Verordnungssammlung für die Herzoglich Braunschweigischen Lande 1910, S. 483.)

**Order relating to the carrying out of the Act relating to employment agents of the 2nd June, 1910.\*** (Dated 13th October, 1910.)

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\* Text E.B. V., p. 171.

4. *Bekanntmachung über die Ausführung des Stellenvermittlergesetzes vom 2. Juni 1910.* Vom 13. Oktober 1910. (Gesetz- und Verordnungssammlung für die Herzoglich Braunschweigischen Lande 1910, S. 485.)

**Notification relating to the carrying out of the Act relating to employment agents of the 2nd June, 1910.** (Dated 13th October, 1910.)

5. *Bekanntmachung über den Geschäftsbetrieb der gewerbmässigen Stellenvermittler mit Ausnahme der gewerbmässigen Stellenvermittler für Bühnengehörige und für Schiffsleute sowie der Herausgeber von Stellen- und Vakanzenlisten.* Vom 13. Oktober 1910. (Gesetz- und Verordnungssammlung für die Herzoglich Braunschweigischen Lande 1910, S. 487.)

**Notification in regard to the working of the business of professional employment agents with the exception of professional employment agents for members of the theatrical profession and for sailors, as well as of the publishers of employment and vacancy registers.** (Dated 13th October, 1910.)

6. *Bekanntmachung über den Geschäftsbetrieb der gewerbmässigen Stellenvermittler für Bühnengehörige mit Ausschluss der Herausgeber von Stellen- und Vakanzenlisten.* Vom 13. Oktober 1910. (Gesetz- und Verordnungssammlung für die Herzoglich Braunschweigischen Lande 1910, S. 499.)

**Notification in regard to the working of the business of professional employment agents for members of the theatrical profession, excluding the publishers of employment and vacancy registers.** (Dated 13th October, 1910.)

7. *Bekanntmachung über den Geschäftsbetrieb der Herausgeber von Stellen- und Vakanzenlisten.* Vom 13. Oktober 1910. (Gesetz- und Verordnungssammlung für die Herzoglich Braunschweigischen Lande 1910, S. 507.)

**Notification in regard to the working of the business of publishers of employment and vacancy registers.** (Dated 13th October, 1910.)

8. *Bekanntmachung über den Gebührentarif der Stellenvermittler für Bühnengehörige.* Vom 13. Oktober 1910. (Gesetz- und Verordnungssammlung für die Herzoglich Braunschweigischen Lande 1910, S. 513.)

**Notification in regard to the tariff of fees of employment agents for members of the theatrical profession.** (Dated 13th October, 1910.)

9. *Bekanntmachung über den Gebührentarif für die Herausgeber von Stellen- und Vakanzenlisten.* Vom 19. Oktober 1910. (Gesetz- und Verordnungssammlung für die Herzoglich Braunschweigischen Lande 1910, S. 517.)

**Notification in regard to the tariff of fees of publishers of employment and vacancy registers.** (Dated 19th October, 1910.)

10. *Bekanntmachung über die Ausführung der Gewerbeordnung.* Vom 1. Dezember 1910. (Gesetz- und Verordnungssammlung für die Herzoglich Braunschweigischen Lande 1910, S. 545.)

**Notification in regard to the carrying out of the Industrial Code.** (Dated 1st December, 1910.)

### 9. SAXE-ALTENBURG.

1. *Abänderung der Anweisung zur Ausführung des Gesetzes, betr. Abänderung der Gewerbeordnung vom 1. Juni 1891.* Vom 28. Februar 1910. (Gesetzsammlung für das Herzogtum Sachsen-Altenburg 1910, S. 52.)

**Modification of the instructions for carrying out the Act relating to the modification of the Industrial Code, dated 1st June, 1891.** (Dated 28th February, 1910.)

2. *Verordnung des Herzogl. Gesamtministeriums zur Ausführung des Stellenvermittlergesetzes vom 2. Juni 1910.* Vom 15. Oktober 1910. (Gesetzsammlung für das Herzogtum Sachsen-Altenburg 1910, S. 119.)

**Order of the Ducal General Ministry for the carrying out of the Act relating to employment agents, dated 2nd June, 1910.\*** (Dated 15th October, 1910.)

### 10. SAXE-COBURG-GOTHA.

1. *Verordnung zur Ausführung des Stellenvermittlergesetzes vom 2. Juni 1910.* Vom 5. November 1910. (Gesetzsammlung für das Herzogtum Gotha 1910, S. 69.)

**Order relating to the carrying out of the Act relating to employment agents, dated 2nd June, 1910.\*** (Dated 5th November, 1910.)

2. *Verordnung zur Ausführung des Stellenvermittlergesetzes vom 2. Juni 1910.* Vom 5. November 1910. (Gesetzsammlung für das Herzogtum Coburg 1910, S. 329.)

**Order relating to the carrying out of the Act relating to employment agents, dated 2nd June, 1910.\*** (Dated 5th November, 1910.)

### 11. SCHWARZBURG-SONDERSHAUSEN.

1. *Ausführungsverordnung zu dem Stellenvermittlergesetz vom 2. Juni 1910.* Vom 30. September 1910. (Gesetzsammlung für das Fürstentum Schwarzburg-Sondershausen 1910, S. 101.)

**Administrative Order in regard to the Act relating to employment agents, dated 2nd June, 1910.\*** (Dated 30th September, 1910.)

2. *Ministerialverordnung, betr. Sicherheitsvorschriften für Benzinwäschereien.* Vom 1. Dezember 1910. (Gesetzsammlung für das Fürstentum Schwarzburg-Sondershausen 1910, S. 121.)

**Ministerial Order relating to safety regulations for dry cleaning works.** (Dated 1st December, 1910.)

### 12. SCHWARZBURG-RUDOLSTADT.

*Ausführungsverordnung zum Reichs-Stellenvermittlergesetz vom 2. Juni 1910.* Vom 20. Oktober 1910. (Gesetzsammlung für das Fürstentum Schwarzburg-Rudolstadt 1910, S. 32.)

**Administrative Order concerning the Imperial Act of 2nd June, 1910,\* relating to employment agents.** (Dated 20th October, 1910.)

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\* Text E.B. V., p.171.



**13. WALDECK.**

*Verordnung zur Ausführung des Stellenvermittlergesetzes vom 2. Juni 1910.*  
Vom 30. September 1910. (Fürstlich Waldeckisches Regierungsblatt 1910, S. 64.)

**Order concerning the carrying out of the Act relating to employment agents, dated 2nd June, 1910.\*** (Dated 30th September, 1910.)

**14. REUSS ELDER LINE.**

*Verordnung, betr. den Geschäftsbetrieb der gewerbmässigen Stellenvermittler.*  
Vom 27. September 1910. (Gesetzsammlung für das Fürstentum Reuss älterer Linie 1910, S. 113.)

**Order in regard to the working of the business of professional employment agents.** (Dated 27th September, 1910.)

**15. REUSS YOUNGER LINE.**

*Ausführungsverordnung zum Stellenvermittlergesetz vom 2. Juni 1910.* Vom 18. Oktober 1910. (Gesetzsammlung für das Fürstentum Reuss jüngerer Linie 1910, S. 269.)

**Administrative Order concerning the Act relating to employment agents, dated 2nd June, 1910.\*** (Dated 18th October, 1910.)

**16. LIPPE.**

1. *Abänderung der Ausführungsverordnung zur Gewerbeordnung vom 21. Februar 1902.* Vom 10. Januar 1910. (Gesetzsammlung für das Fürstentum Lippe 1910, S. 269.)

**Modification of the Administrative Order concerning the Industrial Code, dated 21st February, 1902.** (Dated 10th January, 1910.)

2. *Verordnung zur Ausführung des Stellenvermittlergesetzes vom 2. Juni 1910.* Vom 31. August 1910. (Gesetzsammlung für das Fürstentum Lippe 1910, S. 361.)

**Order for carrying out the Act relating to employment agents, dated 2nd June, 1910.\*** (Dated 31st August, 1910.)

**17. FREE AND HANSE TOWN LUBECK.**

1. *Nachtrag zum Lübeckischen Gewerbegerichtsgesetze vom 25. November 1905.* Vom 16. Februar 1910. (Sammlung der Lübeckischen Gesetze und Verordnungen 1910, S. 37.)

**Supplement to the Lubeck Act relating to Industrial Courts, dated 25th November, 1905.** (Dated 16th February, 1910.)

2. *Bekanntmachung betr. den Handelsverkehr in offenen Verkaufsstellen und die Beschäftigung von Gehilfen, Lehrlingen und Arbeitern im Handelsgewerbe.* Vom 28. April 1910. (Sammlung der Lübeckischen Gesetze und Verordnungen 1910, S. 74.)

**Notification in regard to the trade in open places of sale and to the employment of assistants, apprentices and workers in trade and commerce.** (Dated 28th April, 1910.)

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\* Text E.B. V., p. 171.

3. *Ausführungsverordnung zum Stellenvermittlergesetz vom 2. Juni 1910.* Vom 24. August 1910. (Sammlung der Lübeckischen Gesetze und Verordnungen 1910, S. 130.)

**Administrative Order concerning the Act relating to employment agents, dated 2nd June, 1910.** (Dated 24th August, 1910.)

4. *Bekanntmachung, betr. den Gebührentarif für die gewerbsmässigen Stellenvermittler.* Vom 28. September 1910. (Sammlung der Lübeckischen Gesetze und Verordnungen 1910, S. 177.)

**Notification relating to the tariff of fees of professional employment agents.** (Dated 28th September, 1910.)

## 18. FREE AND HANSE TOWN HAMBURG.

1. *Berggesetz.* Vom 3. Juli 1911. (Gesetzsammlung der freien und Hansestadt Hamburg 1911, I. 80.)

**Mining Act.** (Dated 3rd July, 1911.)

2. *Bekanntmachung, betr. Sicherheitsvorschriften für Reinigungsanstalten.* Vom 15. September 1911. (Gesetzsammlung der freien und Hansestadt Hamburg 1911, I. 94.)

**Notification relating to safety regulations for cleaning works.** (Dated 15th September, 1911.)

3. *Bekanntmachung, betr. die Einrichtung und den Betrieb von Steinbrüchen und Steinhauereien (Steinmetzbetrieben).* Vom 4. Dezember 1911. (Gesetzsammlung der freien und Hansestadt Hamburg 1911, I. 126.)

**Notification relating to the equipment and working of stone-quarries and stone-masonry works.** (Dated 4th December, 1911.)

## 19. FREE AND HANSE TOWN BREMEN.

1. *Gesetz, betr. die Alters- und Invalidenunterstützung der Hebammen (XIX.).* Vom 29. April 1911. (Gesetzblatt der Freien Hansestadt Bremen 1911, S. 93.)

**Act relating to old age and invalidity pensions for midwives.** (Dated 29th April, 1911.)

2. *Verordnung, betr. das Inkrafttreten der Verordnung vom 25. Dezember 1910 wegen des Acht- Uhr-Ladenschlusses in der Stadt Bremerhaven (XXII.).* Vom 19. Mai 1911. (Gesetzblatt der Freien Hansestadt Bremen 1911, S. 99.)

**Order relating to the coming into force of the Order dated 25th December, 1910,\* in regard to the closing of shops at 8 p.m. in the town of Bremerhaven. (XXII.)** (Dated 19th May, 1911.)

3. *Bekanntmachung der Behörde für die Krankenversicherung, betr. den ortsüblichen Tagelohn Gewöhnlicher Tagearbeiter.* Vom 26. Juni 1911. (Beilage 21, Gesetzblatt der Freien Hansestadt Bremen 1911, S. 137.)

**Notification of the authority for sickness insurance in regard to the customary local daily wages of ordinary datal workers.** (Dated 26th June, 1911.)

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\* Title E.B. VI., p. 118.

4. *Verordnung, betr. Aenderung der Verordnung über die Sonntagsruhe im Handelsgewerbe für die Stadt Bremen (XL.).* Vom 13. September 1911. Gesetzblatt der Freien Hansestadt Bremen 1911, S. 161.)

**Order relating to the modification of the Order concerning Sunday rest in commercial establishments in the Town of Bremen.** (Dated 13th September, 1911.)

5. *Verordnung für die Stadt Vegesack, betr. die Beschäftigung von Arbeitern im Barbier-, Friseur-, und Perückenmachergewerbe an Sonn- und Festtagen (XLI.).* Vom 24. September 1911. (Gesetzblatt der Freien Hansestadt Bremen 1911, S. 163.)

**Order for the town of Vegesack relating to the carrying on of barbers', hair-dressers', and wig-makers' businesses on Sundays and holidays.** (XLI.) (Dated 24th September, 1911.)

6. *Verordnung für die Stadt Vegesack, betr. die Betriebsruhe im Barbier-, Friseur-, und Perückenmachergewerbe an Sonn- und Festtagen (XLII.).* Vom 24. September 1911. (Gesetzblatt der Freien Hansestadt Bremen 1911, S. 164.)

**Order for the town of Vegesack, relating to hours of rest in barbers', hair-dressers', and wig-makers' businesses on Sundays and holidays.** (Dated 24th September, 1911.)

7. *Verordnung des Senats zur Ausführung des Artikels 7 des Einführungsgesetzes zur Reichsversicherungsordnung (LIV.).* Vom 30. November 1911. (Gesetzblatt der Freien Hansestadt Bremen 1911, S. 199.)

**Order of the Senate for carrying out §7 of the Introductory Law to the Imperial Insurance Code.** (Dated 30th November, 1911.)

8. *Verordnung, betr. das Beitragsverfahren nach dem vierten Buche der Reichsversicherungsordnung (Invaliden- und Hinterbliebenenversicherung). (LVI.)* Vom 14. Dezember 1911. (Gesetzblatt der Freien Hansestadt Bremen 1911, S. 201.)

**Order relating to the method of contribution in accordance with the Fourth Book of the Imperial Insurance Code (Invalidity and survivors' insurance).** (Dated 14th December, 1911.)

9. *Verordnung, betr. die Aufsichtsbefugnisse der Landesversicherungsanstalt der Hansestädte gegenüber den Einzugsstellen. (LVIII.)* Vom 14. Dezember 1911. (Gesetzblatt der Freien Hansestadt Bremen 1911, S. 204.)

**Order relating to the supervisory powers of the Provincial Insurance Institutes of the Hanse Towns with respect to the paying-in offices.** (Dated 14th December, 1911.)

10. *Verordnung der Polizeidirektion zur Ausführung des 5, Abs. 2, der Verordnung des Senats, betr. das Beitragsverfahren nach dem vierten Buche der Reichsversicherungsordnung (Invaliden- und Hinterbliebenenversicherung).* Vom 14. Dezember 1911. (Beilage 37, Gesetzblatt der Freien Hansestadt Bremen 1911, S. 233.)

**Order of the Chief Police Administration for carrying out §5, paragraph 2, of the Order of the Senate, relating to the method of contributing in accordance with the Fourth Book of the Imperial Insurance Code (invalidity and survivors' insurance).** (Dated 14th December, 1911.)

II. *Verordnung, betr. die Zuständigkeit der Behörden nach der Reichsversicherungsordnung vom 19. Juli 1911. (LXV.)* Vom 31. Dezember 1911. (Gesetzblatt der Freien Hansestadt Bremen 1911, S. 239.)

**Order relating to the competency of the Authorities in accordance with the Imperial Insurance Code, dated 19th July, 1911.\*** (Dated 31st December, 1911.)

## II. Hungary

I. 1911. évi V. törvénycikk a fehér vagy sárga foszforral való gyújtógyártás eltiltásáról. (Szentelést nyert 1911. évi január hó 16-án. Kihirdettetett az "Országos Törvénytár," -ban 1911. évi január hó 23-án.)

**Section V. of the Laws of 1911 relating to the prohibition to manufacture matches, etc., from white or yellow phosphorus.** (Sanctioned on 16th January, 1911, published in the "Statutes" on 23rd January, 1911.)

1. The manufacture of matches, etc., from white or yellow phosphorus is prohibited.

It is prohibited to import into the territory of the lands of the Holy Hungarian Crown matches, etc., made from white or yellow phosphorus from a territory which does not come within the operation of this present Act. It is prohibited to store, sell, or otherwise bring on the market matches, etc., in the manufacture of which white or yellow phosphorus or other materials prohibited within the meaning of §2 are used. No concession shall be granted by the industrial authorities for the erection of new works in which matches are to be manufactured with the use of white or yellow phosphorus or other materials prohibited within the meaning of §2, nor for the enlargement of such works, and, until the 31st December of the year 1913 no concession shall be granted for the erection of new match factories.

These regulations shall not apply to fuses used for lighting the safety-lamps employed in mines.

2. The Minister of Commerce shall be authorised to prohibit, apart from the use of white or yellow phosphorus, also the use of other igniting agents or coatings which are, or appear to be, dangerous to health and safety, in the manufacture of matches, etc., by way of trade, as well as the import of matches, etc., which have been manufactured with the use of the above-mentioned materials.

3. The observance of the prohibition to use white or yellow phosphorus, as well as other materials prohibited in the manufacture of matches in conformity with the Order issued in pursuance of §2 of this Act, shall be supervised by the Royal industrial inspectors within their province defined by §XXXVIII. of the laws of the year 1893, while in Croatia and Slavonia the said supervision shall be undertaken by those authorities who are competent in the matter in accordance with the regulations in force in the above-mentioned territories. The industrial inspector may take samples of the materials used in the manufacture of matches, etc., or of finished goods in those match-factories and warehouses in connection therewith, which are under his supervision. He shall be obliged, if requested to do so by the proprietor or his representative, to leave in their possession a portion of the samples officially sealed.

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\* Title E.B. V., p. 231.

The observance of the prohibition to store, sell, or otherwise bring on the market matches, etc., which have been manufactured with the use of white or yellow phosphorus or other materials prohibited by the Minister of Commerce by an Order issued in pursuance of this Act, shall be supervised by the industrial authorities thereto appointed in accordance with §166 of the Act XVII. of 1884 (Industrial Act). The procedure to be adopted for the purposes of control within the meaning of this paragraph by the industrial inspectors and industrial authorities shall be regulated by Order of the Minister of Commerce.

4. Any person using white or yellow phosphorus or other igniting agents prohibited by the Ministerial Order issued in pursuance of §2 in the manufacture of matches, etc., disregarding the prohibition contained in this Act, commits an offence, and shall be punishable by a fine of from 2,000 to 4,000 Kronen, should the said offence not demand a heavier punishment; while, in the case of a second offence, if less than two years have elapsed from the date of the first penalty, an additional punishment up to two months' imprisonment shall be inflicted. Moreover, the working of the factory may be suspended for a period not exceeding one year.

The offences defined in the foregoing paragraph fall within the jurisdiction of the Royal District Courts, and in Croatia and Slavonia within that of the authorities who are competent in the matter in accordance with the legal regulations there in force.

5. Any person acting in contravention of the prohibition to import matches, etc., manufactured with the use of white or yellow phosphorus, or of the prohibition of storing, selling, or otherwise bringing on to the market of matches, etc., made with the use of white or yellow phosphorus or any other material prohibited by a Ministerial Order issued in pursuance of this Act, commits an offence, and shall be punishable by a fine of from 20 to 600 Kronen, and in the case of a second offence, by a fine of from 100 to 2,000 Kronen and by imprisonment up to 15 days.

These offences fall within the province of the authorities appointed in pursuance of §166 of Act XVII. of the year 1884, and in Croatia and Slavonia within the province of the authorities appointed in pursuance of §184 of the said Act.

6. When such an offence against this Act or such contravention has been established, the confiscation and destruction of the articles produced, imported, stored, sold, or otherwise made ready for purposes of trade, shall be ordered in addition to the above punishment. The confiscation and destruction of the said articles shall be ordered by the prosecuting authority or the competent administrative authority, even if for any reason it should not be possible to issue a penal judgment against a certain individual. In the case of a verdict of not guilty being found, the value of the samples taken (§3, paragraph 2) shall be refunded at the request of the defendant.

7. As far as Croatia and Slavonia are concerned, the Minister of Commerce shall issue the orders necessary, in virtue of §§2 and 3 of this Act, in agreement with the Ban of Croatia, Slavonia, and Dalmatia.

8. Those regulations of this Act which prohibit the use in the manufacture of matches, etc., of white or yellow phosphorus and of other materials prohibited by the Ministerial Orders issued in pursuance of this Act, shall come into force on 1st January of the year 1913, while those regulations which prohibit the storing, the bringing on the market, and sale of matches, etc., manufactured from white or yellow phosphorus or from any other prohibited

material, shall come into force on 1st July, 1913, and finally the regulations contained in the last paragraph but one of §1, prohibiting the industrial authorities from granting concessions, shall come into force on the day of the publication of the Act.

The Minister of Commerce is entrusted with the administration of this Act generally, and the Ban of Croatia, Slavonia, and Dalmatia as far as Croatia and Slavonia are concerned.

2. 1911. évi XIX. törvénycikk az iparüzemekben alkalmazott nők éjjeli munkájának eltiltásáról. (Szentelést nyert 1911. évi augusztus hó 14-én. —Kihirdettetett az "Országos Törvénytár" -ban 1911. évi augusztus hó 26-án.)

**Section XIX. of the Laws of 1911, respecting the prohibition of the night-work of women in industrial undertakings. (14th August, 1911.)**

1. In all the works and undertakings falling under the head of the industrial branches mentioned below, in which, as a rule, more than ten workers (men, women, and apprentices) are employed, viz. :—

(a) in all works or undertakings where raw materials, semi-manufactured or wholly manufactured goods are produced, transformed or worked up by way of trade ;

(b) in quarries, mines, salt-works, as well as in smelting-works and other works treating mine products ;

(c) in works and undertakings subject to Government monopoly ;

(d) in manufacturing and repairing shops maintained by railway and navigation companies and by the postal, telegraph, and telephone authorities of the Government ;

(e) in building enterprises of all kinds—

the women employed shall, with the exceptions stated below, be granted an uninterrupted night's rest of at least 11 hours.

Women shall not be employed between the hours of 10 p.m. and 5 a.m.

2. The regulations in regard to the night's rest of women shall not apply—

(a) to agricultural and sylvicultural production, cattle breeding, fisheries, horticulture and viticulture, sericulture, and apiculture ;

(b) to undertakings where only members of the principal's family are employed ;

(c) to restaurants, coffee-houses, and other undertakings where viands required for the business staff are manufactured and served on the premises ; and, finally,

(d) to the administration and working of railways and navigation undertakings, as well as of the postal, telegraph, and telephone service of the State.

3. In undertakings which are carried on during certain seasons only, and, under certain conditions, also in other undertakings subject to this Act, the competent authorities may grant a reduction of the nightly period of rest secured to women by §1, from 11 to 10 hours on not more than 60 days during the year.

4. In undertakings where raw materials or semi-manufactured goods subject to a very rapid deterioration are prepared (fruit, vegetables, preserved fish, etc.), the Minister of Commerce may, after consultation with the Chamber of Commerce and Trade Councils, grant permission for the night employment

of women during certain seasons or during the whole of the year by means of an Order valid for the whole of the territory of the countries under the Holy Hungarian Crown.

In these undertakings the working hours for women shall not exceed 66 hours per week, while the nightly working hours shall not exceed 10.

The Minister of Commerce may embody in the Order to be issued in pursuance of the first paragraph, further detailed Orders going beyond the limits of the Order first mentioned, relating to the working hours of women, either generally or separately for certain industrial branches.

5. In the case of such unforeseen, extraordinary work which must be undertaken without delay for the purpose of avoiding or removing interruptions of work occasioned by *force majeure* or elemental causes, or of preventing accidents, the competent authorities may, in so far as the night employment of women is unavoidable in connection with the said work, allow, by way of exception, the employment of women at night during a period fixed by the said authorities.

The working hours of women, employed on night work in an exceptional way shall not exceed 13 hours out of the 24 without reckoning the intervals for rest. During the work they shall be entitled to one hour's rest should they be employed for six hours uninterruptedly, the said rest to be granted either for one full hour or at different times during the said six hours. They shall further be entitled to an uninterrupted period of rest extending over 11 hours out of 24, excepting the day when the shift is changed. Should the work be undertaken in different shifts, the day and night shifts shall be changed weekly. The competent authorities may grant exemptions from the provisions of this paragraph either wholly or partially, should the night employment of women extend over three nights only and the work be of a most urgent nature.

6. The consent to reduce the nightly rest of 11 hours granted to women to 10 hours (§3) and to employ women on night work (§5) by way of exception, shall be applied for in the case of—

(a) works and undertakings where raw materials, semi-manufactured, or wholly-manufactured goods are being produced, transformed, or worked up by way of trade ;

(b) building operations of any kind—

from that industrial authority of first instance within the jurisdiction of which the work is being undertaken, or, should the work be undertaken within the jurisdiction of several authorities of first instance, from that authority, within the jurisdiction of which the undertaking in question is permanently situated.

The application must contain the reasons which necessitate the shortening of the night's rest (§3) or the employment of women for night work (§5), further, the nature of the night work, the number of women to be employed for night work, their working hours, and, finally, the period for which the employer requires the said consent.

The industrial authority of first instance may grant permission for the employment of women for night work by way of exception for a period of 14 days only.

The industrial authority of first instance shall be bound to inform the applicant of its decision within 48 hours after receipt of the application.

In the communication containing the consent there shall be embodied the reasons for granting the said permission, the nature of the work, the number of women to be employed for night work, their maximum working hours in 24, and the period over which the said permission shall extend.

Should the applicant not be satisfied with the decision of the authority of first instance, he may appeal to the decision of the authority of second instance, and subsequently to that of the Minister of Commerce.

The Minister of Commerce may also extend the permission to employ women for night work by way of exception beyond the period of 14 days, should it prove impossible, through no fault of the employer, to complete the work which made it necessary to apply for the exceptional permission, within 14 days.

7. The industrial authority of first instance shall be bound to inform the industrial inspector for the district in question of the permission granted to shorten the period of night's rest (§3) and to employ women for night work by way of exception (§5) or of the legally binding decision relating thereto.

The permission granted for employing women for night work shall become null and void even before its period has elapsed and without right of appeal should the legal reason which led to its being granted have ceased to exist.

In the case of such unforeseen, extraordinary work which must be undertaken without delay (§5) for the purpose of avoiding or removing interruptions of work occasioned by *force majeure* or elemental causes, or for the purpose of preventing accidents, and where the employment of women for night work cannot be postponed until the decision of the industrial authorities of first instance has been obtained without incurring the risk of injury to public or important private interests, the employer may, while making his application, simultaneously commence to employ women for night work on his own responsibility. He shall, however, be bound to inform the industrial authorities of this fact, and immediately desist from employing women for night work should the industrial authority of first instance give a negative decision on his application.

8. The application addressed to the authorities for a reduction of the night's rest (§3) and for permission to employ women for night work by way of exception (§5) shall be exempt from stamp duty.

The industrial authorities of first instance shall be bound to keep a record of the permissions granted to reduce the night's rest (§3) and to employ women for night work by way of exception (§5) in the manner prescribed by the Minister of Commerce, and to permit the industrial inspector to inspect such record at any time.

9. The employer shall be bound to post up in all localities used for carrying on an industry subject to this Act in which women are employed or, should the work not be undertaken in closed localities, at the place where women are employed, or in mines at a place to be determined by the mining authority, rules as to working hours drawn up in the official language, and in the language spoken by the majority of the women employed and easily readable. These rules must state the working days, working hours, intervals of rest, and the stipulations of this Act.

In undertakings where working regulations are exhibited in conformity with §113 of the Act XVII., *ex* 1884, the data referred to in this paragraph shall be embodied in the said working regulations.

The working regulations exhibited shall not contain anything which is contrary to the stipulations of this Act.

Prior to being exhibited and coming into force, the rules as to working hours shall be submitted to the authority of first instance for authentication.



10. In regard to the reduction of the night's rest (§3), the employment of women for night work by way of exception (§5), the recording of the permission in a register (§8), and, finally, the authentication of the rules as to working hours (§9), the undermentioned authorities shall be competent within the jurisdiction assigned to the industrial authorities—

(1) As regards the manufacturing and repairing shops of railway and navigation undertakings—the general inspectorate of railways and navigation ;

(2) As regards the manufacturing and repairing shops maintained by the postal, telegraph, and telephone authorities of the State—the competent postal and telegraph administration ;

in regard to the undertakings mentioned under headings (1) and (2), in last instance—the Minister of Commerce ;

in regard to mines and smelting works, the mining authority shall be competent within the province of the industrial authorities mentioned in paragraph 1 of this Section, and

in regard to the province reserved to the Minister of Commerce in paragraph 1 for the whole of the territory of the countries under the Holy Hungarian Crown, the Minister of Finance, in last instance.

11. The observance of the regulations of this Act shall be supervised—

(a) in all works and undertakings where raw materials, semi-manufactured, and wholly-manufactured goods are produced, transformed, or worked up by way of trade, as well as in

(b) building undertakings of all kinds—

within the province defined by the Act XXVIII., *ex* 1893, by the industrial inspectors, and in Croatia and Slavonia by the authorities competent in the said countries according to the regulations then in force.

In the manufacturing and repairing shops of railway and navigation undertakings the said supervision as to the fulfilment of the regulations of this Act shall be effected by the general inspectorate of railways and navigation, in the manufacturing and repairing shops of the postal, telegraph, and telephone authorities by the Royal postal administrations, and in mines, smelting works, and tobacco factories by the chief inspectorate of mines, or the department officials of the tobacco monopoly.

12. (a) Any person who infringes the stipulations of §9 of this Act relating to the contents of the rules as to hours of working, their authentication by the authorities, and the exhibition of the same commits an offence, and shall be punished, unless his action is considered as more serious than a mere offence, with a fine up to 200 Kronen, and, in the case of a repetition of the offence, if less than two years have passed since his last punishment, with a fine of 400 Kronen.

(b) Any person who infringes the prohibition established by this Act in regard to the employment of women for night work, or fails to observe the stipulations contained in this Act, or in the regulations or rules, as to working hours, intervals of rest, and the change of shifts issued in pursuance of this Act, shall be punished with a fine up to 600 Kronen and, should the infringement committed relate to more than 10 women, with a fine of from 200 to 600 Kronen, and, in addition, in the case of a repetition of the offence, if less than two years should have elapsed since the last offence has been committed, with detention up to two months.

The cases of infringement specified under (a) and (b) fall within the province of the authorities competent to adjudicate in conformity with the Act XVII. *ex* 1884, on industrial infringements, and in Croatia and Slavonia within the province of the authorities appointed in conformity with §184 of the said Act.

13. Should an employer fail to observe the conditions or to keep within the limits of the permission to reduce the night's rest (§3) or to employ women for night work by way of exception (§5), the industrial authorities shall be empowered to withdraw immediately the said permission without prejudice to the proceedings for an infringement of the law.

14. In regard to beetroot-sugar factories, wool-carding, and spinning works, and to surface work in connection with mines, if the last-mentioned work cannot be carried on for at least four months during the year on account of climatic conditions, the regulations of §§1 to 13 shall not apply prior to 15th January, 1920.

In regard to the undertakings mentioned in the first paragraph, however, female workers under 14 years of age shall not be employed for night work at all, while female workers under 16 years of age, should they be employed during the night, shall not be required to work for more than eight hours out of the 24, not including intervals for rest, and female workers above 16 years of age, should they be employed during the night, shall not be employed for more than 11 hours out of the 24. This rule shall apply as from the day on which this Act comes into force.

15. In so far as this Act does not establish an exemption, the Ban of Croatia, Slavonia, and Dalmatia shall be invested with the necessary jurisdiction for adjudicating within Croatia and Slavonia on all those matters which, according to this Act, come within the competence of the Minister of Commerce.

16. This Act shall come into force as from 1st January, 1912, and shall be carried into effect through the medium of the Minister of Commerce, and in Croatia and Slavonia through the Ban of Croatia, Slavonia, and Dalmatia, and, in regard to mines and smelting works, in the whole of the territory of the countries under the Holy Hungarian Crown, the Minister of Finance in agreement with the Minister of Commerce.

3. *A kereskedelemügyi m. kir. miniszter 1911. évi 7143. eln. számú rendelete, az iparüzemekben alkalmazott nők éjjeli munkájának eltiltásáról szóló 1911: XIX. törvénycikk végrehajtásáról.*

**Administrative Order, in pursuance of Act XIX. of 1911, respecting the prohibition of the night-work of women in industrial undertakings. (Dated 19th December, 1911.)**

*Date of Coming into Force.*

1. The Act XIX. of 1911\* shall come into force on 1st January, 1912, according to §16 of this Order; from that date the stipulations of the Act shall be applied to all industries subject to this Act, with the exception mentioned in §14 or §2 of this Order, as the case may be.

2. In regard to the application of the stipulations of the Act, the industries hereafter mentioned shall be subject to special treatment:—

(a) Raw-sugar factories, and this also in the case when they fall within the category of mixed undertakings, *i.e.*, when they are carried on not only for the purpose of producing sugar, but also for refining the latter;

\* Text E.B. VII., p. 211, No. 2.

(b) Undertakings in which wool-carding and spinning are carried on ;

(c) Surface work in connection with mines, when the same is interrupted for at least four months during the year on account of climatic conditions, in so far as such mines are subject to the Ministry of Finance.

The stipulations of §§1 to 13 of the Act, which are to apply in conformity with §14, paragraph 1, shall only be applicable to the undertakings mentioned under headings of (a) to (c) as from 15th January, 1920. The stipulations of §14, paragraph 2, of the Act and the penal provisions relating thereto shall, however, be applied also to the undertakings mentioned under the headings (a) to (c) as from 1st January, 1912.

In regard to the undertakings mentioned under the heading (c) the Royal Hungarian Minister of Finance shall issue regulations with reference to the administration of the Act (§16 of the Act).

#### *Operation of the Act.*

3. The industries mentioned in §1 fall under this Act, in so far as they are not exempted therefrom by coming under the exemptions referred to in §2 of the Act, if, as a rule, more than 10 workers, (men, women, apprentices), i.e., as a rule, at least 11 workers are employed in the said undertakings irrespective of sex, age, wages, manner of payment of the latter (daily, weekly, monthly wages), the quality of the work supplied by the person employed in the manufacture, or irrespective of whether the worker is serving an apprenticeship or is engaged as a regular worker. The Act shall therefore apply likewise if, in any undertaking, coming also in other respects under the operation of the Act according to §§1 and 2, ten male workers and one female worker (or apprentice) of any age are employed as a rule.

4. In regard to the employment mentioned in the first paragraph of §1 of the Act of more than 10 workers as a condition of the applicability of the Act, the phrase "as a rule" shall not be taken to mean any kind of average number of workers, and especially not to mean that in the undertaking in question during any one period, as, for instance, during the course of a year or during the several seasons, more or less than 10 workers are employed on an average, but the Act shall be applied, as soon as in any one undertaking more than 10 workers are actually employed without any regard to any probationary period (§88 of the Act XVII. *ex* 1884), except in those cases in which the employer can prove that particular persons have only been temporarily employed in the undertakings by way of exception for a certain period previously determined upon and not exceeding 14 days, and that the said temporary employment is not of a regularly recurring nature ; in such a case, the workers thus provisionally employed shall not be considered to belong to the regular staff when the said Act is applied.

5. From the point of view of the application of the Act, any person shall be held to be a workman who is employed in an undertaking for the purpose of assisting in the production, whether he is occupied with the more important work, or with special or auxiliary work, or learning such work (overseer and foreman, works manager, journeyman, skilled workers, engineers, enginemen, stokers, engine-cleaners, oilers, auxiliary and temporary workers, labourers, mates, packers, messengers, etc.) ; on the other hand, from the point of view of the application of the said Act, there shall not be considered as belonging to the staff of workmen those persons who are engaged for the intellectual conduct of the undertaking, or of the production (directors,

managers, trained engineers, etc.) or those persons who are exclusively engaged in office work (cashiers, bookkeepers, correspondents, typists, copyists, etc.), or, finally, those persons exclusively engaged in the sale of the goods produced (travellers, clerks, etc.).

6. Should an undertaking comprise several business branches, and especially if, apart from a branch carried on for the production, transformation, or preparation of raw materials, semi- and wholly-manufactured goods, another branch, as, for instance, of a commercial nature is carried on, the stipulations of the Act, as is already partly shown by §5, shall only apply to the producing branch or the production work, as the case may be, and to the workers engaged in the said production, but not to the commercial branch previously mentioned or to the employees of the said commercial branch, provided that the employees of the said branch do not take any part whatsoever in the work of the producing branch. It follows, therefore, that book and newspaper publishing undertakings, being undertakings of a commercial nature, the persons employed in the same are not subject to the regulations of the Act; should, however, these undertakings also be connected with a printing works, the stipulations of the Act shall apply to the said printing work and to the workers employed in the latter in any capacity.

#### *The Protection Provided by the Act.*

7. In the undertakings falling under §1 of the Act—

(a) no women shall be employed between the hours of 10 p.m. and 5 a.m.;

(b) all women shall be granted an uninterrupted night's rest of at least 11 hours, which shall include as a matter of course the period from 10 p.m. to 5 a.m.

Within the above-mentioned limits the commencement and the termination of the said night's rest of 11 hours may be fixed in the rules as to working hours, or in the rules of employment, as the case may be (§§27, 28), in conformity with the existing working conditions. Should the employer, however, employ women up to 10 p.m. the latter shall not recommence work before 9 a.m., while, on the other hand, women shall only be allowed to commence work at 5 a.m., if they have ceased to work at 6 o'clock the previous evening.

8. As regards the fixing of the commencement and the termination of the compulsory night's rest of 11 hours and of the time to which the prohibition of night work applies, the calculation of time as used by the railways shall be taken as a basis. Should the employers or the workers concerned desire it, the industrial authorities of first and second instance may, after consultation with the Royal departmental industrial inspector, fix by Order the calculation of time within their district in deviation from that used by the railway authorities, on the condition that the said deviation from the usual railway time shall not exceed half an hour.

The decision arrived at shall be communicated to the Royal departmental industrial inspector.

The Order relating to the fixing of the mode of calculation of time shall not interfere with the legal duration of the intervals for rest or the intervals during which work is prohibited.

9. In consequence of the night's rest compulsorily fixed at 11 hours by §1 of the Act, the daily working hours in undertakings subject to the operation of the Act must not exceed 13 hours. All those stipulations of the Act XVII.

of 1884 in regard to the working hours which refer to the further limitation of the working hours of women shall remain valid. Further, the stipulations of the Act XIII. of 1891 relating to Sunday rest shall be applied in their original form.

The working hours of men shall not be affected by the Act XIX. *ex* 1911.\*

*Reduction of the Night's Rest of 11 Hours.*

10. In pursuance of §3 of the Act the competent industrial authority of first instance (§6 of the Act) may grant permission to reduce the 11 hours night's rest of women to 10—*i.e.*, by one hour—

(a) in undertakings which are subject to the influence of the seasons ;

(b) in all undertakings subject to the Act—*i.e.*, including those mentioned under (a)—if the granting of the said permission appears to be justified by special conditions.

§3 of the Act empowers the industrial authority to grant the exceptional permission contemplated therein ; it is, therefore, the duty of the industrial authority to examine and consider, before they grant the permission, the question whether the granting of the exceptional permission in regard to the undertakings mentioned under (a) is justified (§11) and whether, in the undertakings mentioned under (b), special conditions are present or not.

11. Undertakings shall be held to be subject to the influence of the seasons in which business is carried on throughout the year, and in which, in certain seasons of the year (as, for instance, during the winter or summer seasons), or on account of certain holidays (Christmas, Easter, Whitsuntide, etc.), there is greatly increased consumption (seasonal undertakings). In these undertakings permission may be granted to shorten the night's rest by one hour, if the considerably increased consumption occasions an extraordinary accumulation of work, which justifies the granting of the said permission, both in order to satisfy rapidly and satisfactorily the demand which makes itself felt, and also to prepare for the said emergency.

Agricultural undertakings which can be carried on during certain seasons only are not considered to come within the scope of the exceptional permission mentioned in this paragraph relating to undertakings subject to the influence of the seasons.

12. The industrial authorities may grant the permission for shortening the night's rest by one hour in all undertakings subject to the operation of this Act if special conditions justify such a course.

Such special conditions may in all undertakings consist of the following : extraordinary accumulation of work, work rendered necessary for the purpose of preserving material and goods from deterioration, unfavourable weather conditions, exceptional conditions in regard to railway and steamship undertakings, extraordinary work in connection with the compliance of sanitary, military, or other public requirements, impossibility of observing terms of delivery in connection with important orders, etc. For all these reasons the said permission shall, however, be granted only if it was impossible to foresee the said extraordinary accumulation of work, or the increased demand, and if it was not possible to obviate the same by a corresponding manufacture of goods for stock, or by other means of regulating the business. The permission shall also be refused if the business interest of the applicant is the only point of consideration, and no other further reaching and more general interests speak in favour of granting the said permission.

\*Text E.B. VII., p. 211, No. 2.

13. The permission may be granted for not more than 60 days in any one year, and this within the said year either for single days or for several consecutive days, always in conformity with the requirements giving rise to the exemption.

In seasonal undertakings (§11) the said permission may be granted in advance for separate seasons or may be distributed over the whole of the year, but not for more than 60 days altogether, if the employer submits a copy of the corresponding working plan. Should several similar undertakings or undertakings being carried on under similar conditions exist in the place in question, the industrial authority shall grant the permission for a somewhat extended period only if all said undertakings or the majority of them have submitted a request in that behalf, and this in conformity with the working plan jointly agreed upon.

By one year shall be understood the calendar year.

Should the industrial authority have become acquainted in any way with the fact that the employer has shortened the night's rest of the women he employs, or even of only one woman, without having been granted the necessary permission, it shall, after having ascertained the fact, cause the day or days in question to be entered in a register to be kept in accordance with the example mentioned in §26 of this Order, and deduct these days from the 60 days to which the undertakings in question are entitled annually.

Should the employer have reduced the night's rest of women on less than 60 occasions during any one year, he shall not be entitled to claim an increase in the number of occasions on which he may reduce the night's rest during the following year, but shall only be entitled in that year to the exceptional permission stipulated in §3 for a period not exceeding 60 days.

14. The permission for shortening the night's rest of 11 hours by one hour and increasing thereby the daily working hours to 14 shall not be applicable to female workers under 16 years of age, since the daily working hours of the latter must not exceed 10 hours in accordance with §115 of the Act, XVII. of 1884, including intervals for rest.

*Employment of Women by Way of Exception for Night Work Occasioned through Force Majeure or Accidents.*

15. For reasons stated in §5 of the Act the industrial authorities may permit and grant an exemption from the regulations of §1 of the Act for the purpose of employing women during the night—i.e., between the hours of 10 p.m. and 5 a.m.

The permission shall only be granted if the conditions of the case and the working conditions of the undertakings in question render the employment of women for night work absolutely unavoidable.

The permission shall only be granted with respect to persons who have completed their 14th year, as, under the age of 14, they may not be employed in any case for night work in conformity with §65 or §115, last paragraph, of the Act XVII. of 1884.

16. In regard to the working hours of women employed by way of exception for night work in conformity with the permission granted by the industrial authorities, the regulations contained in §5, last paragraph, of the Act shall apply, and the said permission must only be granted under the condition that the respective stipulations are strictly adhered to.

Should, however, the exceptional work for which the employment of women for night work has been permitted occupy not more than three days, and should the said work be of an exceptionally urgent nature, as, for instance, in the case of life saving, the industrial authorities may grant exemptions from the Orders contained in §5, paragraph 2, of the Act, either wholly or partially as may be required—that is to say, both in regard to the working hours and periods of rest within 24 hours, and also to the intervals for rest during the working hours. The Order relating to this exemption must be recorded in detail in the permission or the decision appertaining thereto.

17. The industrial authority of first instance may grant the permission contemplated in §5 of the Act for a period not exceeding 14 days, including the days of rest.

Should there be no doubt that the extraordinary work will occupy a period exceeding 14 days, the industrial authority of first instance may grant the permission for a period of 14 days in advance. Otherwise the permission shall be granted for a shorter period while the right is reserved to the industrial authority of first instance to extend, if necessary, the said permission for a period of 14 days altogether.

The extension of the permission for a period exceeding 14 days shall fall within the province of the Minister of Commerce.

*Applications for Permission—Procedure of the Industrial Authority.*

18. Applications for permission to shorten the night's rest of women and for permission to employ women for night work by way of exception (§6 of the Act) shall be lodged in writing with the competent industrial authority of first instance, and in regard to the latter permission, even in cases where it is probable that the night work by way of exception will exceed 14 days.

19. The application for permission to shorten the night's rest of women, as well as that to employ women for night work by way of exception, shall contain the following data :

- (a) The name of the employer or the title of the employer's firm ;
- (b) The kind and locality of the undertaking, the trade or the work to which the application refers ;
- (c) The reasons for the application ;
- (d) The day or days for which the employer requests permission.

The petition for permission to employ women for night work by way of exception shall further contain :

- (e) The number of women to be employed for night work, the data relating to their working hours within 24 hours, the intervals for rest during the working hours, and the uninterrupted interval of rest to be granted ;

- (f) in so far as the work is undertaken in shifts with a weekly change of shift, the data referring to the working hours and periods of rest and intervals for rest during the working hours.

Should the employer have resorted to the employment of women for night work in pursuance of §7, paragraph 3, of the Act simultaneously with the lodging of the application, he shall be bound to state this fact in the said application, and if he intends to apply for exemption from the regulations of §5 of the Act on the part of the industrial authority, in regard to the limitations of the working hours of women employed during the night (§16), he must embody a request to this effect in the said application.

20. The industrial authority of first instance shall be bound to communicate to the petitioner and to the competent industrial inspector, its decision in regard to the application made within 48 hours after receipt of the same at the latest (§6 of the Act).

When there is a question of granting permission for the employment of women for night work in the cases fixed in §5 of the Act, and if the circumstances of the case—as, for instance, life saving—admit of no delay, the industrial authority shall be bound to decide immediately on the matter under consideration.

The industrial authority shall further be bound to come to an immediate decision if the employer has resorted to the employment of women for night work in pursuance of §7 of the Act simultaneously with the lodging of the application, in which case it shall not only either grant or refuse to grant the said permission, but it shall also decide whether the employer was justified in resorting to the employment of women for night work without waiting for the required consent. Should the industrial authority of first instance come to the decision that he was not justified in doing so, it shall determine the necessary steps for instituting proceedings for infringement, within the meaning of §12 (b) of the Act, against the employer in question.

Should the employer apply for permission to shorten the night's rest not for isolated occasions, but for a whole season (§13), the industrial authority may, if necessary, submit in such a case the said petition to the competent Chamber of Commerce and Industry for a preliminary expression of opinion, for which said purpose it shall, however, take steps without any delay whatsoever. The Chamber of Commerce and Industry shall be bound to transmit the desired opinion to the industrial authority without delay, whereupon the latter shall be bound to come to a decision in regard to the application within 48 hours after receipt of the said opinion.

21. The under-mentioned data shall be stated in the permission granted by the industrial authority for reducing the night's rest by one hour in conformity with §3 of the Act :

- (a) Name of the employer or title of the employer's firm ;
- (b) Kind and locality of the undertaking, the trade or work to which the said permission refers ;
- (c) Reasons for granting the said permission ;
- (d) The day or days for which the said permission has been granted.

Should the permission by the industrial authority be granted for some considerable period, as, for instance, for a whole season or a whole year (§13), the employer shall be bound in the said permission to exhibit the latter (§30) in accordance with the provisions respecting regulations of working hours (§9 of the Act), as otherwise he will render himself liable to a withdrawal of the said permission (§13 of the Act).

22. The permission for the employment of women for night work granted by the industrial authority in virtue of §5 of the Act shall state—

- (a) The data referred to in §21, (a) to (d) ;
- (b) The number of women to be employed for night work, their daily working hours, the intervals of rest during the said working hours, and the duration of the uninterrupted period of rest to be granted, or in so far as full exemption from the regulations of §5, paragraph 2, of the Act has been granted, the fact that this is the case ;



(c) Should the work be undertaken in shifts with weekly change of shifts, the regulations relating to the working hours and periods of rest and the intervals of rest during the working hours.

23. An interested party who is not satisfied with the decision arrived at by the industrial authority of first instance, in pursuance of §3 of the Act, with reference to the shortening of the night's rest, and in particular the employer applying for the said permission, the workers affected by the said permission, the proprietors of other similar undertakings, and, finally, the Royal industrial inspector of the district, may appeal against the decision, in accordance with the regulations relating to industrial procedure, to the industrial authority of second instance within 15 days, and against the decision of the latter to the Minister of Commerce.

Any party mentioned in paragraph 1 who is dissatisfied with the decision delivered by the industrial authority in pursuance of §5 of the Act in regard to the employment of women for night work, and, in addition, the industrial district inspector may, irrespective of the legal period within which appeal may be lodged, petition for a decision by the industrial authority of second instance and thereupon for a decision by the Minister of Commerce. Should they appeal in these matters, after the same have been decided, to the authorities of first or second instance, to refer the matter to a higher authority for decision, the industrial authorities in question shall be bound to submit the application, together with the respective records immediately, without waiting for the termination of the period within which the appeals may be lodged to the competent higher industrial authority for decision.

In regard to decisions on appeals and memorials referred to in this Section, the industrial authority shall proceed irrespective of rotation.

24. Should the work in respect of which the permission has been granted in virtue of §§3 and 4 be carried on within the districts of several industrial authorities, the industrial authority of first instance acting officially shall be bound to communicate the said permission or the legal decision in regard thereto to all industrial authorities of first instance who would be competent, on account of the locality within which the work is being carried on.

Furthermore, each permission or the legal decision in regard thereto shall also be communicated to the competent Royal industrial inspector of the district (§7 of the Act).

25. If the exceptional work referred to in §5 of the Act, which necessitates the permission for the employment of women for night work, should occupy a period exceeding 14 days, the industrial authority of first instance acting officially shall submit direct to the Minister of Commerce, without delay, its decision in regard to the permission granted for a period of 14 days, as well as the petition for an extension of the said permission, together with all respective records accompanied by an exhaustive expert report.

#### *Register to be Kept by Industrial Authorities.*

26. The industrial authorities of first instance shall be bound to keep a register in conformity with the undermentioned prototype of the permissions for shortening the night's rest, in accordance with §3 of the Act, and for the employment of women for night work by way of exception in accordance with §5 of the Act (§8 of the Act).

*Regulations Respecting Working Hours.*

27. The employers subject to the operation of the Act shall be bound, within the meaning of §9 of the Act, to draw up rules in regard to the working hours and to submit the same in three copies to the industrial authority of first instance, for the purpose of authentication. Undertakings which were already in existence prior to the Act coming into force shall comply with the above-mentioned Order within 30 days from the date on which the Act comes into force, while those undertakings which are only established subsequently to the date on which the Act comes into force shall comply with the said requirement within 15 days from the opening of the said undertaking.

Employers who are bound to exhibit a copy of the working regulations in accordance with §113 of the Act XVII. of 1884, and who are desirous of incorporating the data instead of drawing up special regulations in regard to working hours, shall submit the working regulations correspondingly drawn up, or the appendix containing the modification, in three copies, to the industrial authority of first instance within the period fixed in the first paragraph.

28. The regulations in regard to the working hours or the working regulations shall state the hours of the women employed, the intervals for rest during the working hours, as well as the commencement and termination of the night's rest, with an accurate indication of the hours, giving this separately for each group of women, should the regulations not be identical for all.

The stipulations of §§1, 3, 5, and 12 of the Act XIX. of 1911\* shall be suitably incorporated in the regulations relating to the working hours or the working regulations (§9 of the Act).

29. The industrial authority of first instance may, if necessary, obtain the opinion of the Royal district inspectorate of industry in regard to the regulations of working hours or the modified working regulations prior to their approval or authentication.

The industrial authority of first instance shall be bound to return to the employer within 30 days the regulations in regard to the working hours or the working regulations submitted to it, after the same have been provided with the authentication clause. Should the approval of regulations in regard to the working hours or working regulations require a prolonged consideration, the industrial authority of first instance shall be empowered to authenticate the said regulations provisionally, reserving to itself the right to order any modifications which may prove necessary at a later date.

One copy of the authenticated regulations relating to working hours or working regulations shall be delivered to the employer, one copy to the competent district inspector of industry, while one copy shall remain at the registrar's office of the industrial authority of first instance.

30. The employer shall be also bound to exhibit, in the manner laid down in §9 of the Act, the decision given by the industrial authority in regard to the compulsory calculation of the working hours in pursuance of §8 of this Order, as well as the permission granted for an extended period for shortening the night's rest of women within the meaning of §13 in pursuance of the working plan, side by side with the regulations relating to the working hours and the working regulations.

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\* Text E.B. VII., p. 211, No: 2.

*Supervision.*

31. The Royal industrial inspectors shall supervise within their province, as determined by Act XXVIII. of 1893, and in accordance with the regulations standardised for the industrial supervisory procedure, the observance of the legal regulations in the undertakings specified in Sub-sections (a) and (b) of §11 of the Act.

In mines and smelting works supervision shall be exercised by the mining authorities in place of the industrial inspectors, while in the industrial undertakings administered by the Royal Hungarian Ministry of Finance such supervision shall be exercised by the respective Royal administrative departments.

32. The Royal industrial inspectors shall be bound to keep a record in conformity with the prototype referred to in §26 of the permissions granted by the industrial authorities in virtue of §§3 and 5 of the Act, and to submit this record altogether with their yearly reports to the Minister of Commerce. They shall further be bound to render, in their yearly reports, a full account of the decisions given by the industrial authority in pursuance of §8 of this Order, and of the observations made by them in regard to the enforcement of the Act.

33. The industrial authorities of first instance and the authorities (§34) competent to deal with infringements defined in §13 of the Act shall likewise supervise, and in a suitable manner, as far as §§12 and 13 are concerned, the strict observance of the legal regulations and of the conditions on which permissions are granted in pursuance of §§3 and 5 of the Act. It shall, therefore, be incumbent upon them to satisfy themselves in cases where denouncements and complaints are made, and even without such being made, of the observance of the legal regulations by personally inspecting and examining the works and undertakings subject to the application of the Act.

*Authorities.*

34. The industrial authorities referred to in §166 of the Act XVII. of 1884 shall be competent to deal with all matters other than those relating to infringements which come within the province of the industrial authorities in accordance with this Act.

The following shall be competent to deal with all matters relating to infringements :

(1) As first instance, in small and large communes, including Rakospalota, the Chief Presiding Justice or Presiding Justice ; in towns with a permanent magistracy (including Ujpest), and in municipal towns, the Chief of the Police or his deputy, or in his absence, the official appointed by the magistracy for that purpose ; and finally, within the jurisdiction of Budapest, the magistracy.

(2) As second instance, in small and large communes, as well as in towns with a permanent magistracy, including Rakospalota and Ujpest, the " Vizegespan " ; in municipal towns, and within the jurisdiction of Budapest, the magistracy.

(3) As third instance, the Royal Hungarian Minister of Commerce in conformity with the regulations for police proceedings in all matters of infringement coming within the province of the administrative authorities.

35. Proceedings shall be instituted officially for infringements defined in §12.

*Various Regulations.*

36. In pursuance of §4 of the Act, a special Order shall designate those undertakings in which raw materials or semi-manufactured goods liable to rapid deterioration are being worked up or manufactured, and in which, in consequence, women may be employed for night work.

37. The regulations of this Order shall also apply to the works and undertakings referred to under (1) and (2) of §10 of the Act.

38. This Order shall come into force on 1st January, 1912.

*Industrial Authority of First Instance.*

REGISTER

of permits granted by the industrial authorities for shortening the night's rest of women, and respecting their exceptional employment on night work in conformity with §§3 and 5 of the Act XIX. of 1911.

(FIRST PAGE.)

1.	2.	3.	4.		5.
Con- secu- tive No.	Name of employer or title of firm.	Place, nature of under- taking, trade, or work.	Number, date, and contents of the legal permit.		Reason for granting permit.
			Shortening of night's rest.	Employment of women for night work by way of exception.	

(SECOND PAGE.)

6.	7.	8.	9.	10.	11.	12.	13.
Days for which the permit has been granted.	Number, date of the legal de- cision relating to the extension, the authority granting the ex- tension, and duration of the said extension.	Women employed during the night.					Remarks.
		No.	Working hours in 24: com- mencement and termination of the same.	Uninterrupted rest: duration, commencement, and termina- tion of the same.	Intervals during working hours, duration, commencement, and termination of the same.	In case of shift changes data relating to intervals for rest after and during the working hours.	

4. *Rendelet az 1907, XIX. t.-cz. 3. Section—ában megállapított balesetbiztosítási kötelezettségnek a Magyarország területén alkalmazásban álló török és montenegrói alattvalókra való kiterjesztése tárgyában. 1911. évi november hó 10-én. Kereskedelemügyi m.kir. Miniszter. 69.630. VID. szám. (Munkásbiztosítási közlöny V. évfolyam. 47. szám.)*

**Order of the Minister of Commerce relating to the extension of the compulsory accident insurance established in §3 of the Act XIX. of 1907,\* to Turkish and Montenegrin subjects employed in Hungary. Dated 10th November, 1911.**

*To all Hungarian Industrial Authorities of Second Instance.*

5. Act XIX. of 1907 \* relating to the sickness and accident insurance of industrial and commercial employees authorises the Minister of Commerce to order the compulsory insurance referred to in §3 of the Act to apply, without regard to mutuality, to subjects of those countries in which accident insurance has not been legally regulated.

With this object in view, my predecessor in office has extended compulsory insurance to Roumanian, Servian, and Bulgarian subjects employed within Hungarian territory by means of the Order issued on 10th April, 1908 (No. 19,299), in order to prevent single undertakings, especially those situated at the frontier, from engaging exclusively foreign labour for the purpose of avoiding the expense of labour insurance and of making unfair competition.

As, however, in undertakings in this country, Turkish and Montenegrin subjects are also employed, as has been shown by practical experience, I extend for the above-mentioned reasons compulsory accident insurance to Turkish and Montenegrin subjects employed within the territory of Hungary.

I notify the industrial authorities of this for their information, and in order that they may take the corresponding measures.

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\* Text E.B. II., p. 269, No. 2.

## II. PARLIAMENTARY NOTES

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### I. United States of America

I.—EXTRACT FROM PRESIDENT TAFT'S MESSAGE TO CONGRESS (2nd February, 1912).

*International Commission on the Cost of Living.*

There has been a strong movement among economists, business men, and others interested in economic investigation, to secure the appointment of an international commission to look into the cause for the high prices of the necessities of life. There is no doubt but that a commission could be appointed of such unprejudiced and impartial persons, experts in investigation of economic facts, that a great deal of very valuable light could be shed upon the reasons for the high prices that have so distressed the people of the world, and information given upon which action might be taken to reduce the cost of living. The very satisfactory report of the Railway Stock and Bonds Commission indicates how useful an investigation of this kind can be when undertaken by men who have had adequate experience in economic inquiries and a level-headedness and judgment correctly to apply sound principles to the facts found.

For some years past the high and steadily increasing cost of living has been a matter of such grave public concern that I deem it of great public interest that an international conference be proposed at this time for the purpose of preparing plans, to be submitted to the various governments, for an international inquiry into the high cost of living, its extent, causes, effects, and possible remedies. I therefore recommend that, to enable the President to invite foreign Governments to such a conference, to be held at Washington or elsewhere, the Congress provide an appropriation, not to exceed \$20,000, to defray the expenses of preparation and of participation by the United States.

The numerous investigations on the subject, official or other, already made in various countries (such as Austria, Belgium, Canada, Denmark, France, Germany, Great Britain, Italy, the Netherlands, and the United States) have themselves strongly demonstrated the need of further study of world-wide scope. Those who have conducted these investigations have found that the phenomenon of rising prices is almost, if not quite, general throughout the world; but they are baffled in the attempt to trace the causes by the impossibility of making any accurate international comparisons. This is because, in spite of the number of investigations already made, we are still without adequate data and because as yet no two countries estimate their price levels on the same basis or by the same methods.

As already indicated, the preliminary conference itself would entail a comparatively small expense, and most of the subsequent investigations for which it would prepare the way could be carried out by existing bureaus in this and other Governments as part of their regular work and would require little, if any, additional appropriations for such bureaus.

2.—62nd. Congress, 2nd Session, H.R. 21479. 7th March, 1912.

Bill (Mr. Sulzer) appropriating money to enable the President to propose and invite foreign Governments to participate in an international conference to promote an international inquiry into the causes of the high cost of living throughout the world, and to enable the United States to participate in the said conference. (The sum of 20,000 dollars or so much thereof as may be necessary.)

## II. Belgium\*

(June—December, 1911.)

### 1.—*Old Age Pensions.*

Ch. d. R. 24th November. Draft Bill presented by M. May to amend §9 of the Act of 10th May, 1900, respecting Old Age Pensions, considered.

### 2.—*Hours of Work.*

Ch. d. R. 21st November. Draft Bill presented by M. Mabilie to limit the daily hours of work of enginemen in coal mines.

### 3.—*Night-work of Women.* (E.B. VI., p. 325.)

Ch. d. R. 5th July. 2nd sitting. Report of the Commission on the Bill to prohibit the night-work of women in industrial occupations; presented by M. Colaert.—7th July, 2nd Sitting. Debate and vote.—Sen. 19th July. Report of the Commission on Industry and Labour; presented by M. Claeys Bouuaert. (For the Text and Preamble, see *Revue du Travail* XVI., 427.)

### 4.—*Committees of Council.* (Prud'hommes.)

Ch. d. R. 7th July. Bill to establish Committees of Council at Malines, etc.; introduced by the Minister of Industry and Labour.—12th July. 2nd Sitting. Report presented.—20th July. 2nd Sitting. General debate and vote.

### 5.—*Councils of Industry and Labour.*

Ch. d. R. 14th December. Bill to suspend until the 1st April, 1913, the duties of the members of the Councils of Industry and Labour. Presented by the Minister of Industry and Labour.

\* Ch. d. R. = Chambre des Représentants. Sen. = Sénat.

### III. France\*

(May—December, 1911.)

#### 1.—*Industrial Accidents.*

(a) Ch. d. D. 9th November. Draft Bill to amend, as regards the procedure before Justices of the Peace, §15 of the Act of 9th April, 1898, as amended by the Acts of 22nd March, 1902, 31st March, 1905, 12th and 17th April, 1906, respecting liability for accidents sustained by workmen in the course of their work; presented by M. Doizy (No. 1310). Referred to the Insurance Commission.

(b) Ch. d. D. 17th November. 1st Sitting. Bill to amend §3 of the Act of 9th April, 1898, respecting industrial accidents; presented by M. Defontaine and others (No. 1348). Referred to the Insurance Commission.

(c) Ch. d. D. 17th November. 1st Sitting. Bill to amend §10 of the Act of 9th April, 1898, respecting industrial accidents; presented by M. Defontaine and others. (No. 1349). Referred to the Insurance Commission.

(d) Ch. d. D. 23rd November. 2nd Sitting. Bill respecting liability for accidents sustained by workmen in the course of their work in Algeria; presented by the Minister of Labour (No. 1372). Referred to the Insurance Commission.

(e) Ch. d. D. 23rd November. 2nd Sitting. Bill respecting the lists of trades subjected to the tax instituted by the constitution of guarantee funds for industrial accidents according to the reduced scale applicable to commercial enterprises; presented by the Minister of Labour (No. 1373). Referred to the Insurance Commission.

(f) Ch. d. D. 29th November. 2nd Sitting. Draft Bill to amend §17 of the Act of 9th April, 1898, as amended by the Act of 22nd March, 1902, as regards medical reports on industrial accident cases; presented by MM. Doizy and Defontaine (No. 1392). Referred to the Insurance Commission.

(g) Ch. d. D. 8th December. 1st Sitting. Bill to amend the 3rd par. of §3 of the Act of 9th April, 1898, respecting industrial accidents; presented by M. Defontaine and others (No. 1454). Referred to the Insurance Commission.

(h) Ch. d. D. 26th December. 1st Sitting. Report on M. Pugliesi-Conti's draft Bill to extend this scope of the legislation respecting industrial accidents to domestic servants of all kinds; presented by M. Lairolle (No. 1534).

#### 2.—*International Agreements;*

(a) Sen. 21st November. Bill as adopted by the Ch. d. D. on 6th July, 1911, approving the arrangement signed on the 15th June, 1910, between France and Italy, respecting the protection of young French workers employed in Italy and young Italian workers employed in France; presented by the Ministers of Foreign Affairs, of Labour and of Finance (No. 288). Referred to the Bureaux.—15th December. Report on the Bill; presented by M. Lourties (No. 345).—21st December. 1st Debate; declaration of Urgency; Bill adopted.

\* Ch. d. D. = Chambres des Députés. Sen. = Sénat.



(b) Sen. 7th December. Supplementary Report on the Bill adopted by the Ch. d. D., respecting the bringing into force of the international Convention of Berne on the night-work of women in industrial occupations ; presented by M. Touron (No. 321).—12th December. Declaration of Urgency ; Bill adopted with amendments.

Ch. d. D. 15th December. 1st Sitting. Bill presented by the Minister of Labour (No. 1488). Referred to the Labour Commission.—16th December. 2nd Sitting. Report presented by M. Justin Godart (No. 1493).—20th December. 2nd Sitting. Declaration of Urgency. Bill adopted.

### 3.—*Naval Invalidity Fund.*

Ch. d. D. 7th November. Bill presented by the Ministers of Marine and of Finance (No. 1285). Referred to the Marine Commission.

### 4.—*Hours of Work.*

Ch. d. D. 11th November. Draft Bill to introduce a Saturday half-holiday in industrial establishments for adult workers ; presented by M. de Mun (No. 1323). Referred to the Labour Commission.—21st December. 2nd Sitting. Report on the draft Bill ; presented by M. Justin Godart.

### 5.—*Cheap Dwellings.*

(a) Ch. d. D. 21st November. 2nd Sitting. Bill to amend and supplement the Act of 12th April, 1906, respecting cheap dwellings ; presented by the Minister of the Interior (No. 1368). Referred to the Insurance Commission.

(b) Ch. d. D. 2nd December. 2nd Sitting. Bill to amend certain provisions of the Act of 10th April, 1908, respecting small properties and cheap dwellings ; presented by the Minister of Labour (No. 1408). Referred to the Insurance Commission.—21st December. 1st Sitting. Report presented by M. Bonnevey (No. 1515).—29th December. 2nd Sitting. Declaration of Urgency. Bill adopted.

### 6.—*Hygiene & Safety.*

Ch. d. D. 2nd December. 2nd Sitting. Bill respecting the safety of workers employed on agricultural machines ; presented by the Minister of Labour (No. 1410). Referred to the Labour Commission.

### 7.—*Employment Bureaux.*

Ch. d. D. 1st December. 2nd Sitting. Draft Bill to amend certain Sections of the Labour Code respecting employment bureaux ; presented by M. Pugliesi-Conti (No. 1404). Referred to the Labour Commission.

### 8.—*Preferential Claims to Wages.*

Ch. d. D. 20th December. 2nd Sitting. Report presented by M. Roblin, on : (1) M. Deloncle's draft Bill to amend §549 of the Commercial Code ; (2) M. Raoul Briquet's draft Bill to amend §549 of the Commercial Code and to assure preferential claims to wages or commissions due to workmen, clerks and commercial representatives in case of the bankruptcy of their employer ; (3) M. de Boury's draft Bill to extend the privilege to workmen, employees, and all persons working for remuneration ; (4) MM. Henri Roy, Fernand Rabier and Ternois's draft Bill to amend §549 of the Commercial Code (No. 1508).—29th December. 2nd Sitting. First debate. Declaration of Urgency. Adopted.

Sen. 30th December. Draft Bill sent up from the Ch. d. D. Referred to the Bureaux.

9.—*Protection of National Work.*

(a) Ch. d. D. 7th November. Draft Bill respecting the protection of national work; presented by M. Pugliesi-Conti (No. 1287). Referred to the Labour Commission.

(b) Ch. d. D. 15th December. 1st Sitting. Draft Bill to supplement the Act of 8th August, 1893, respecting the protection of national work; presented by M. Defontaine and others (No. 1487). Referred to the Labour Commission.

10.—*Pensions for Railway Servants.* (See E.B. VI., p. 335, No. 35.)

Sen. 30th November. 1st Debate on the Bill adopted by the Ch. d. D. on 20th March, 1911, to supplement the provisions of the Act of 21st July, 1909, respecting pensions for the staffs of the great railway systems. Declaration of Urgency. General debate.—1st and 15th December. Debate continued.—22nd December. Bill adopted, with amendments.

Ch. d. D. 26th December. Bill adopted by the Senate presented by the Minister of the Interior (No. 1536). Referred to the Commission on Public Works.—26th December. 2nd Sitting. Report presented by M. Rabier (No. 1539). Declaration of Urgency.—27th December. 2nd Sitting. Bill adopted.

11.—*Pensions for Workmen & Peasants.*

(a) Ch. d. D. 7th November. Bill to amend the Act of 5th April, 1910, respecting pensions for workmen and peasants; presented by the Ministers of Labour and Finance (No. 1270). Referred to the Insurance Commission.—14th November. 2nd Sitting. Report on the Bill presented by M. Albert Métin (No. 1340).—7th December. 2nd Sitting. Supplementary Report; presented by M. Albert Métin (No. 1447).—15th, 16th, 19th and 20th December. 1st Sitting. Declaration of urgency. Bill debated.—21st December. Resolved that the six articles of the Bill be embodied in the Finance Act.

(b) Ch. d. D. 9th November. Draft Bill to enable the widows and children of miners to benefit by the provisions of §6 of the Act of 5th April, 1910, respecting pensions for workmen and peasants. Presented by M. Basly (No. 1312). Referred to the Insurance Commission.

(c) Ch. d. D. 13th November. Draft Bill to amend §36 of the Act of 5th April, 1910, respecting pensions for workmen and peasants; presented by M. Nouhaud. Referred to the Insurance Commission.

(d) Ch. d. D. 21st November. 2nd Sitting. Draft Bill to amend §16 of the Act of 5th April, 1910, respecting pensions for workmen and peasants; presented by M. Lairolle (No. 1364). Referred to the Insurance Commission.

(e) Ch. d. D. 21st November. 2nd Sitting. Draft Bill to amend §36 of the Act of 5th April, 1910, respecting pensions for workmen and peasants; presented by M. Lairolle (No. 1361). Referred to the Insurance Commission.

(f) Ch. d. D. 9th December. 2nd Sitting. Draft Bill to supplement §§4, 5, 7 and 10 of the Act of 5th April, 1910, respecting pensions for workmen and peasants, and in particular to give persons compulsorily or voluntarily insured, and having previously belonged to one of the classes contemplated in §10, the right to the grants and bonuses of the State; presented by M. Raoul Briquet (No. 1463). Referred to the Insurance Commission.

(g) Ch. d. D. 29th December. 2nd Sitting. Draft Bill to amend the Act of 5th April, 1910, respecting pensions for workmen and peasants; presented by M. Honnorat (No. 1564). Referred to the Insurance Commission.

### 12.—*Minimum Wage.*

(a) Ch. d. D. 7th November. Bill to amend Titles III. and V. of Book I. of the Labour Code (wages of home-workers in the clothing trades); presented by the Ministers of Labour and Justice (No. 1269). Referred to the Labour Commission.

(b) Ch. d. D. 30th November. Draft Bill to give a minimum salary to the secondary officials and workmen and workwomen in State departments; presented by M. Aubriot and others (No. 1396). Referred to the Labour Commission.

### 13.—*Assistance for the Unemployed.*

(a) Ch. d. D. 7th November. Bill to open in the Ministry of Marine, in the Budget for 1911, an extraordinary credit of 500,000fr., to assist the victims of the fishing crisis in the department of Morbihan; presented by MM. Le Rouzic, Nail, and Brard (No. 1280). Referred to the Budget Commission.

(b) Ch. d. D. 8th November. Draft Bill to open in the Ministry of Marine, in the Budget for 1911, an extraordinary credit of 1,000,000fr., to assist fishermen and workmen in the fishing industry, victims of the scarcity of fish; presented by M. Ernest Lamy (No. 1304). Referred to the Budget Commission.

(c) Ch. d. D. 9th November. Draft Bill to open in the Ministry of the Interior, in the Budget for 1911, an extraordinary credit of 500,000fr., to assist workers in the textile industry and unemployed persons in various industries in the district of Roanne (Loire); presented by MM. J. Morel and G. Laurent (No. 1313). Referred to the Budget Commission.

### 14.—*Provident Societies.*

Ch. d. D. 2nd December. 2nd Sitting. Bill to regulate the situation in certain societies as regards the Acts of 17th March, 1905, and 19th December, 1907; presented by the Minister of Labour (No. 1409). Referred to the Insurance Commission.

### 15.—*Regulations for Railway Servants.*

(a) Ch. d. D. 7th November. Bill respecting the nomination of superior grades of railway employees, and the unification of staff regulations; presented by the Minister of Public Works (No. 1268). Referred to the Commission on Public Works.

(b) Ch. d. D. 13th November. Report on the Bill respecting regulations for the staffs of railways and the pacific settlement of collective disputes relating to the interests of these employees; presented by M. Millerand (No. 1325).

### 16.—*Child Labour.*

(a) Ch. d. D. 13th November. Draft Bill to repeal the provisions of the Act of 2nd November, 1892, permitting the employment in industrial occupations of children not having completed their 13th year of age; presented by M. Justin Godart (No. 1327). Referred to the Labour Commission.

(b) Ch. d. D. 5th December. 2nd Sitting. Draft Bill respecting the employment of persons under 13 years of age in theatres; presented by M. de Monzie (No. 1426). Referred to the Labour Commission.

## IV. Great Britain and Ireland

(Autumn Session, 1911.)

### 1. *Accidents.*

Number of fatal accidents in factories. H.C., Q., Mr. Arthur Henderson. 9th November.

Number of non-fatal accidents in factories. H.C., Q., Mr. Arthur Henderson, 14th December.

### 2. *Children.*

Bill to make provision for the better administration by the Central and Local Authorities in England and Wales of the Enactments relating to Education. (Government Bill.) (See also E.B. VI. p. 340, No. 2.) H.L., 1R., 18th August; 2R., 7th November; Committee 8th, 14th November; 3R., 15th November; Royal Assent, 16th December.

### 3. *Dangerous and Unhealthy Trades.*

#### (a) ANTHRAX.

Cases of anthrax in woolcombing works at Shipley. H.C., Qs., Mr. Jowett and Mr. Lynch, 14th December.

#### (b) COMPRESSED AIR WORKS.

Mr. Gill put the following question to the Secretary of State for the Home Department :—

"Whether he has received from the Central Office of the International Association for Labour Legislation at Basle a petition drawing his attention to a resolution of the Association recommending certain principles for the regulation of work in caissons; and if so, what reply has been sent as to what steps he proposes to take?"

Mr. McKenna replied: "I have received through the British Section of the Association a communication calling my attention to the resolution referred to in the question. There is no power at present to make regulations in regard to caisson work, but the question has been engaging the attention of the Home Office, and proposals to give the Department power to deal with this and some other matters in connection with works of construction were contained in the Buildings and Engineering Works Bill which has been introduced in some previous sessions. The recommendations of the Association have been noted, and will be considered in the event of the Bill becoming law." H.C., 15th November.

#### (c) LEAD.

Mr. Gill put the following questions to the Secretary of State for the Home Department :—

(i) "Whether he has received from the Central Office of the International Association for Labour Legislation at Basle a petition drawing his attention to a resolution of the Association recommending that the use of lead glaze should be prohibited in the manufacture of earthenware and china fired at a high temperature; that in the manufacture of earthenware fired at a low temperature a list of articles should be drawn up for which no lead should be allowed; and that occupiers should be assisted by the Government in making experiments into the use of leadless glazes; and if so, what reply has been sent as to what steps he proposes to take?"

Mr. McKenna replied : " I have received through the British Section of the Association a communication calling my attention to the resolution referred to in the question. The question of the use of lead in the manufacture of pottery has recently been the subject of an exhaustive investigation in this country by a departmental Committee, who did not see their way to recommend restrictions on the use of lead as suggested by the Association, but submitted instead proposals for more stringent regulation of the conditions of employment, which the Home Office are taking steps to bring into effect. The conclusions of the Committee must, I think, in the present state of knowledge on this subject be accepted as final."

(ii.) " Whether he has received from the Central Office of the International Association for Labour Legislation at Basle a petition drawing his attention to a resolution of the Association recommending that the use of lead paints and colours should be prohibited for interior work, and that all receptacles containing lead should be required to be clearly marked to that effect ; and if so, what reply has been sent as to what steps he proposes to take ? "

Mr. McKenna replied : " I have received through the British Section of the Association a communication calling my attention to the resolution referred to in the question. The question of the use of lead in paints is now being investigated by two Departmental Committees, and I do not propose to take any action in the matter pending the receipt of their reports. In any case, further legislation would be necessary before effect could be given to the recommendation of the Association that the use of lead should be prohibited for interior work. I have informed the British Section that the recommendations have been noted."

(iii.) " Whether he has received from the Central Office of the International Association for Labour Legislation at Basle a petition drawing his attention to a resolution of the Association recommending the adoption of various regulations respecting hygiene in printing works and type foundries ; and if so, what reply has been sent as to what steps he proposes to take ? "

Mr. McKenna replied : " I have received through the British Section of the Association a communication calling my attention to the resolution referred to in the question. The general powers which are given by the Factory Act are found sufficient at present to deal with the conditions of employment in printing works in this country, and the need for additional regulations has not yet been established. The recommendations, however, of the Association have been noted, and the British Section has been so informed." H.C., 15th November.

#### 4. *Homework.*

Dangers to public health from outwork. H.C., Q., Mr. Edmund Harvey, 27th November.

#### 5. *Housing of the Working Classes.*

Bill to provide for the better application and enforcement of the Housing of the Working Classes Acts. Sir Arthur Griffith-Boscawen, H.C., 1R., 7th December.

#### 6. *Inspection.*

Proposed reorganisation of factory inspectorate. H.C., Q., Mr. Arthur Henderson, 14th December.

Number of women inspectors. H.C., Q., Mr. T. E. Harvey, 13th December.

### 7. *Insurance.*

An Act to provide for insurance against loss of Health and for the Prevention and Cure of Sickness and for Insurance against Unemployment and for purposes incidental thereto. (Government Bill.) (See also E.B. VI. p. 341, No. 8.) Committee, 24th, 26th, 27th, 30th, 31st October, 1st, 2nd, 7th, 8th, 9th, 10th, 13th, 14th, 15th, 16th, 20th November. Part II. (Unemployment Insurance) was referred to Standing Committee B., and considered on 2nd 7th, 9th, 14th, 15th, 16th November. Report, 18th, 19th, 30th November, 4th December; 3R., 6th December; H.L., 1R., 6th December; 2R., 11th December; Committee, 12th, 14th December; Report, 15th December; 3R., 15th December. H.C., Lords' amendments considered, 15th December; Royal Assent, 16th December.

### 8. *Merchant Shipping.*

Bill to require home-trade cargo ships to be provided with duly certificated officers, and to amend the law relating to examinations for certificates of competency. Mr. Robertson, H.C., 1R., 6th December.

### 9. *Mines.*

Bill to consolidate and amend the law relating to coal mines and other mines. (Government Bill; see also E.B. VI. p. 342.) Report, 23rd November, 24th November, 5th December; 3R., 5th December; H.L., 1R., 5th December; 2R., 7th December; Committee, 13th December; Report and 3R., 14th December; Royal Assent, 16th December.

### 10. *Shops and Offices.*

Bill to consolidate, amend and extend the Shops Regulation Acts, 1892-1904. (Government Bill; see also E.B. VI. p. 343, No. 17.) Report and 3R., 8th December; H.L., 1R., 11th December; Committee, Report, and 3R., 15th December; Royal Assent, 16th December.

### 11. *Trade Boards.*

Administration of Trade Boards Act. H.C., Q.'s, Mr. William Thorne, 29th November; Mr. Clynes, 30th November; Mr. Arthur Henderson, 13th December.

### 12. *Trade Disputes.*

Bill to repeal the Trade Disputes Act, 1906. Sir Frederick Banbury, H.C., 1R., 1st November.

## V. Norway\*

(Storting: 60th Ordinary Session, 11th January to 19th August, 1911.)

### 1.—*Factory Act.*

Government Bill to amend §§41, 42, and 46 of the Factory Act of 10th September, 1909. (S.F. 3 d. No. 27.)

Motion of the Social Committee. (S.F. 6 d. O. No. 36.)

Odelsting: 21st June, Discussion and Adoption. (S.F. 8 d. O. 712-732.)

Lagthing: 11th July, Discussion and Adoption. (S.F. 8 d. L. 310-313.)

Assent: 29th July. (S.F. 8 d. O. 1867, Lovtid. 1911, No. 31.)

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\*These notes are compiled from "Stortingets Forhandler," Christiania, 1911; S.F. = "Stortingets Forhandler"; L = Landsting; O = Odelsting.

## 2.—*Sickness Insurance.*

Government Bill to amend and extend the Sickness Insurance Act of 18th September, 1909. (S.F. 3 d., No. 20.)

Motion of the Social Committee. (S.F. 6 d. O. No. 27.)

Odelsting : 20th March, Discussion and Adoption. (S.F. 8 d. O. 85-113.)

Lagthing : 25th March, Discussion and Adoption. (S.F. 8 d. L. 14-15.)

Assent : 1st April. (S.F. 8 d. O. 241, Lovtid, 1911, No. 15.)

## 3.—*Accident Insurance.*

(a) Government Bill to amend and extend the Accident Insurance Act of 23rd July, 1894. (S.F. 3 d. No. 30, 1909, and 3 d. No. 23, 1910.)

Motion of the Social Committee. (S.F. 6 d. O. III.)

Odelsting : 30th March, Discussion and Adoption. (S.F. 8 d. O. 191-234.)

Lagthing : 24th May, Discussion and Adoption. (S.F. 8 d. L. 72-74.)

Assent : 9th June. (S.F. 8 d. O. 763, Lovtid, 1911, No. 23.)

(b) Government Bill respecting the Accident Insurance of Seamen. (S.F. 3 d. No. 4, 1910.)

Motion of the Social Committee with additional members. (S.F. 6 d. O. 15.)

Odelsting : 5th, 7th August, Discussion (S.F. 8 d. O. 1679-1746) ; 16th August, Discussion and Adoption (S.F. 8 d. O. 1868.)

Lagthing : 12 August, Discussion (S.F. 8 d. L. 677-699) ; 16th August, Discussion and Adoption (S.F. 8 d. L. 704.)

Assent : 18th August. (S.F. 8 d. O. 1949, Lovtid, 1911, No. 35.)

(c) Government Bill to amend and extend the Accident Insurance Act for fishermen, 8th August, 1898. (S.F. 3 d. No. 19.)

Motion of the United Social and Earnings Committees. (S.F. 6 d. O. No. 83.)

Odelsting : 31st July, Discussion (S.F. 8 d. O. 1656-1678) ; 7th August, Discussion and Adoption (S.F. 8 d. O. 1749-1773.)

Lagthing : 12th August, Discussion and Adoption. (S.F. 8 d. L. 699.)

Assent : 18th August. (S.F. 8 d. O. 1949, Lovtid, 1911, No. 35.)

## 4.—*Unemployment.*

Government Bill to extend a validity of Act No. 3 of 12th June, 1906, respecting State and annual Contributions to Unemployment Funds. (S.F. 3 d. No. 20.)

Motion of the Social Committee. (S.F. 6 d. O. No. 59.)

Odelsting : 12th July, Discussion and Adoption. (S.F. 8 d. O. 1236-1237.)

Lagthing : 31st July, Discussion and Adoption. (S.F. 8 d. L. 581.)

Assent : 15th August. (S.F. 8 d. O. 1949, Lovtid, 1911, No. 34.)

## 5.—*Home Work.*

(a) Proposal of representatives Leegaard, Hannevig, Throne Holst, and others to improve the conditions of work and wages of women employed in home industries. (S.F. 5 d. No. 5.)

Motion of the Social Committee that the matter be referred to the Government. (S.F. 6 d. S. No. 100.)

Storthing: 15th March, Discussion and Adoption of the Social Committee's Motion. (S.F. 7 d. 688-699.)

(b) Petition to the Storthing (signed by 600 persons at the Home Work Exhibition), requesting that legal provisions to prevent the prevailing abuses in home industries be prepared.

Odelsting: 6th July, Report and Discussion; Motion adopted that the matter be referred to the Government. (S.F. 8 d. O. 1145.)

#### 6.—*Trade Disputes.*

During the labour conflict in the summer of 1911\* it was proposed by the representatives Bratlie, Halvorsen, Eftestol, Alfred Eriksen, and others to nominate a special committee to consider the question of conciliation and arbitration courts in trade disputes, and to report to the sitting Storthing.

Storthing: 25th July, Discussion and Adoption. (S.F. 7 d. 2428-2433.)

Motion of the above-mentioned special Committee that the question of conciliation and arbitration courts in trade disputes be not dealt with by the sitting Odelsting †; that the Government be requested to submit to the next Odelsting a measure respecting this question.

Odelsting: 19th August, Discussion and Adoption of the special Committee's Motion. (S.F. 8 d. O. 1948-1949.)

## VI. Netherlands‡

(Session 1911-12, September to December, 1911.)

#### 1.—*Old Age Insurance.*

Motion by Troelstra respecting the provisional introduction of a system of old-age insurance in accordance with §357 of the Government Bill respecting Invalidity and Old Age Insurance. (Handel. II. K. Session 1911-1912, pp. 1025-1026, App. 190.)

#### 2.—*Workmen and Employees in State Workshops and State Works* (wages, hours of work, Sunday rest, pensions).

(a) *Artillery Workshops.* (II. K. Session 1911-1912, App. A. VIII., No. 11, p. 20; No. 12, p. 41.—Handel, pp. 1623-1624.)

(b) *Canal Workers.* (II. K. Session 1911-1912, App. A. IX., No. 22, p. 4; No. 24, pp. 21-22.—Handel, pp. 1147-1150.)

(c) *Marine Wharves.* (II. K., Session 1911-1912, App. A. VI., No. 31, pp. 11-12; No. 33, pp. 41-43.)

(d) *State Rural Guards.* (Handel, II. K., Session 1911-1912, pp. 902, 906, 909-912.)

(e) *The Mint.* (II. K., Session 1911-1912, App. A. VII. B., No. 12, p. 6; No. 13, p. 15.—Handel, pp. 1524-1525.)

\*From the 17th-23rd July in Norway about 30,000 workmen in 200 works were locked out.

†The trade dispute had in the meantime been settled by voluntary conciliation. See statement respecting the conclusion of the dispute. (S.F. 7 d. 2777.)

‡I.K. = First Chamber; II.K. = Second Chamber; Handel. = *Handelingen van de Staten-Generaal* (Shorthand Reports); App. = Appendix to the *Handelingen*; A = Home Budget Estimates; B = Colonial Budget Estimates.



(f) *Duties Offices.* (II. K., Session 1911-1912, App. A. VII. B., No. 12, pp. 7-8 ; No. 12, pp. 15-17.—Handel, pp. 1505-1507, 1513-1517, 1519, 1522, 1525-1529.)

3.—*Labour Legislation.*

Inspection and protection of workers (Coolies) in the Dutch East Indies. (II. K., Session 1911-1912, App. B., No. 43, p. 47 ; No. 45, pp. 70, 71.—Handel, II. K., pp. 747-748 ; 751-753.) (See also No. 10 Legislation, and No. 13 Shipping.)

4.—*Labour Act.*

Extension of the provisions of the Labour Act to agricultural workers. (II. K., Session 1911-1912, App. A., X., No. 9, p. 12 ; No. 10, p. 35.)

5.—*Contracts of Work.*

Results of the Contracts of Work Act. (II. K., Session 1911-1912, App. A. IV., No. 12, p. 5 ; No. 13, p. 21.—Handel., pp. 767-769, 773-774.)

6.—*Officials in the State Service.*

Government Bill respecting a rise in salary for State officials with salaries under 1,000 Gulden, in view of the increased cost of living. (II. K., Session 1911-1912, App. A. I., No. 4, p. 5 ; No. 6, pp. 14-15.—App. 195, Nos. 1-23.—Handel. II. K., pp. 1637-1643.)

Handel. I. K., pp. 170-172 ; 192-193 ; 272-274 ; 283-291. Rejected by I. K.

7.—*Miners* (measures in the interests of).

Labour Conditions, Housing in Mining Centres, Sick Funds. (II. K., Session 1911-1912, App. A. X., No. 9, p. 9 ; No. 10, p. 26.—Handel., pp. 1539-1542 ; 1544-1547.)

8.—*Industrial Diseases.*

A Bill to insure workmen against industrial diseases will be submitted to the II. K. ; Speech of the Minister of the Interior in the opening sitting of the Session 1911-1912.

9.—*Railway Employees* (labour conditions, Sunday rest, right of association, pensions, wages, arbitration courts).

II. K., Session 1911-1912, App. A. IX., No. 22, pp. 9-10 ; No. 24, pp. 31-34.—Handel., pp. 1020-1021, 1108, 1129, 1196-1200, 1204-1209, 1269-1277, 1279-1285, 1296-1308, 1309-1311, 1313-1314.

10.—*Legislation* (social, economic, and labour legislation ; workmen's insurance ; old age, invalidity, and sickness insurance ; accident insurance, including seamen and sea fishermen).

Budget debate. Handel., II. K., Session 1911-1912, pp. 958-985, 1009-1056, 1081-1112, 1114-1138.—II. K., Session 1911-1912, App. A., X., No. 9, p. 13 ; No. 10, p. 37.

11.—*Public Health* (items in the Budget for 1912 for combating tuberculosis).

II. K., Session 1911-1912, App. A., V., No. 12, p. 8 ; No. 13, pp. 32-33.—Handel., pp. 1254-1257.  
(See also No. 19, *Housing*.)

12. *Industrial Schools* (items in the Budget for 1912 for the maintenance of industrial schools.)

II. K., Session 1911-1912, App. A., V., No. 12, pp. 13-14; No. 13, pp. 21-43.—Handel., p. 1404.

13. *Shipping.*

Bill containing provisions in the interests of workmen employed in loading and unloading seagoing ships.—Report of the Commission: II. K., Session 1911-1912, App. 58, No. 1.

14. *Agriculture.*

A Bill to enable agricultural labourers to acquire land with dwellings or land allotments was laid before the II. K. on 19th December, 1911.—II. K., Session 1911-1912, App. 202, Nos. 1-3. (See also No. 10 Legislation.)

15. *Postal, Telegraph, and Telephone Employees.* (Wages, Labour Conditions, Associations.)

II. K., Session 1911-1912, App. A., IX., No. 22, pp. 13-14; No. 24, pp. 38-40.—Handel., pp. 1350-1375.

16. *Strikes.*

Debates respecting the strike of seamen and harbour-workers in Amsterdam and the disturbances arising from it.—II. K., Session 1911-1912, App. A., I., No. 4, pp. 5-6; No. 6, pp. 15-17.—Handel., pp. 958, 1017-1020, 1035, 1042-1044, 1046-1051, 1091-1095, 1105, 1109-1111, 1122-1125, 1131-1133.

Motion of Troelstra respecting the right of associations to picket.

17. *Truck System* (measures against).

II. K., Session 1911-1912, App. A., X., No. 9, p. 12; No. 10, p. 35.—Handel., pp. 766, 773, 775, 1592-1597.

18. *Right of Association.* (Associations of subordinate officials.)

II. K., Session 1911-1912, App. A., VIII., No. 11, p. 14; No. 12, p. 30. (See also No. 9 *Railway Employees.*)

19. *Housing and Public Health* (remarks respecting).

II. K., Session 1911-1912, App. A., V., No. 12, p. 7; No. 13, p. 30.

## VII. Switzerland\*

(Swiss Federal Assembly. Ordinary Winter Session, First Session, 22nd Period, 4th-23rd December, 1911. Continuation of the Ordinary Winter Session, 22nd Period, 4th-13th March, 1912.)

1. *Provision for the Unemployed.*

Motion of Eugster-Zust and others, dated 8th March, 1912: "The Federal Council is requested to investigate and report upon the question whether, and, if so, in what manner, provision for persons unemployed through no fault of their own could be promoted and assisted by the Federation, especially as regards insurance against the results of involuntary unemployment."

\*B.R. = Bundesrat; N.R. = Nationalrat; S.R. = Ständerat; Sten. Bull. = Shorthand Reports.

2. *Railway Employees.*

Message and draft resolution, dated 24th November, 1911 (Bundesblatt 1911, V., 71), to empower officials, employees, or workmen on the Swiss Federal Railways to take public positions.—N.R., 7th March, 1912. Resolutions deviating from the B.R.'s draft (Sten. Bull. No. 1912, p. 1 *et seq.*).

3. *Protection of Young Persons.*

Motion by Göttisheim and others, dated 29th September, 1911 [E.B. VII., p. 366, No. 4]: "The Federal Council is requested to examine the question whether and in what manner an international Central Office for the care of young persons, children and mothers could be instituted and promoted by Switzerland." N.R. 6th March, 1912. The Motion was declared important.

4. *Sickness and Accident Insurance.*

Interpellation by Winiger, dated 5th March, 1912: "The Federal Council is requested to explain its intentions as regards the coming into force of the Sickness and Accident Insurance Act." S.R., 12th March, 1912.

### III. SUMMARY OF RESOLUTIONS OF CONGRESSES, AND MEMORIALS RESPECTING LABOUR LEGISLATION

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#### I. LABOUR LEGISLATION AND INSURANCE OF GENERAL APPLICATION.

1. First Austrian Conference on Housing, Vienna, 25th-26th November, 1911. (*Soziale Praxis*, XXI., No. 16,487.)

Fund for the provision of dwellings; Credit Institutions; Building Societies; establishment of Housing Committees; exemption from taxes for emergency dwellings; rebates of taxes and fees for building societies of public utility.

2. Danish Social Congress, 10th September, 1911. (*Tidsskrift for Arbejderforsikring*, 1911, 274).

Prevention of carrying out the proposal to introduce compulsory insurance instead of the Old Age Pensions Act; prevention of the reduction of the subventions granted to the Unemployment funds; prevention of attacks on sick funds recognised by the State, and at least retention of the subvention hitherto granted; modification of the Acts mentioned above on the principles established when they were passed; Act relating to public subventions for educating and maintaining fatherless children; Act relating to the provision of meals at school for necessitous children; improvement of conditions in educational institutions and homes for children; extension of the existing labour legislation by factory legislation (maximum working day for adult male workers—suppression of juvenile and home work). The funds for extending social legislation should be provided by imposing taxes upon the wealthy classes, and by restricting the estimates for armaments.

3. Forty-fourth Trade Union Congress, Newcastle-on-Tyne, 4th-9th September, 1911. (*Labour Gazette*, Vol. XIX., p. 330).

Restriction of the hours of labour to eight per day for workpeople generally; amendment of the Mines Regulation Act, the Factory and Workshop Act, the Shop Clubs Act, the Workmen's Compensation Act, and the Fair Wages resolution of the House of Commons; the wages and general conditions of labour of workers employed by contractors for the Government; Labour Exchanges; State Insurance evictions during trade disputes; state help for blind workpeople; secular education.

4. British Labour Party, Twelfth Annual Conference, Birmingham.

*Trade Disputes*.—Protest against attempts to repeal the Trade Disputes Act of 1906; the Osborne decision.

*Labour Exchanges*.—Advocacy of the method of "one person one job"; Action of officials of Labour Exchanges in the case of trade disputes; establishment of local advisory trade committees; prohibition of supplying workpeople to employers who do not pay the standard rate of wages.

*Provision for the Blind*.—Establishment of technical schools, national and municipal workshops, and special national elementary and secondary schools with free maintenance and education for all blind children.

*Insurance Act.*—Reduction of the contributions payable by workers and by employers with a view to their ultimate extinction.

*Nationalisation* of railways, canals, and mines.

*Education.*—Raising of the school-leaving age to 16; maintenance allowances for children in primary and secondary schools; limitation of the hours of boy and girl labour to 30 per week, so as to provide 20 or more hours per week for physical, technological and general training.

*Workmen's Compensation Act.*—Compensation equal to full wages; Institution doctors not to report on a workman's condition to his employers or their insurers without his consent; payment of expenses for medical attendance and medicine; appointment of medical referees with adequate remuneration, required to devote their whole time to work under the Act to the exclusion of private practice; Compensation equal to 75 per cent of the wages if these are under £1 and to the full wages if under 14s. per week; the loss of an eye to count as total incapacity; extension of claims to nervous shock, etc., arising from the use of pneumatic tools, etc.

*Unemployment.*—Prevention of unemployment on the lines of the Labour Party's Right to Work Bill.

*Checkweighing.*—Extension of the Checkweighmen's Act to all iron ore and stone quarries in Great Britain and Ireland.

*Fair Wages.*—Payment of trade union rates of wages under all public contracts.

*Government Service.*—Minimum wage of 30s. per week.

*Sunday Work.*—Prohibition of work from noon on Saturdays till 6 a.m. on Mondays in paper, cotton, worsted, woollen, flax and hemp factories, also in bleaching and dyeing works, except to do repairs to machinery. Introduction of a Bill on the lines of Mr. Jowett's Bill.

*Bakehouses.*—Introduction of a Bill on the lines of Mr. Wilkie's Bill.

*Old Age Pensions.*—Reduction of the age for receiving a pension to 60 years, and removal of certain disqualifications.

*Industrial Dirt.*—Legislation requiring employers to provide suitable cleansing facilities for the workers and their working clothes; Restoration of §77 of the Coal Mines Act in its original form.

*Motor Cab Legislation.*—Amendment of the Motor Car Act, 1903, so far as it affects motor cab drivers; motor cab drivers to be brought under the Workmen's Compensation Act.

## II. LABOUR LEGISLATION FOR PARTICULAR TRADES.

### 1. *Hotels and Restaurants.*

Congress of the League of German Hotel Assistants, Nuremberg, 18th-23rd March, 1912.

All persons employed in the hotels, etc., shall be subject to the regulations in regard to workers' protection. Maximum working day for all employees above the age of sixteen, twelve hours; this may be extended to fifteen hours, including the intervals for rest, if business contingencies should require it, thus leaving an uninterrupted period of rest of nine hours out of the twenty-four.

An interruption of work shall be considered as a period of rest within the meaning of these regulations, only if the employé is allowed to leave the rooms within which his work is carried on, and if the interval amounts to at least one hour. Mid-day rest of at least one hour.

Apprentices and persons under the age of sixteen shall not be employed between the hours of 10 p.m. and 6 a.m. Daily maximum working hours not to exceed ten.

Uninterrupted weekly rest of at least thirty-six hours.

A list of employees stating their names must be posted up so that it may be seen by everybody in all hotels or licensed premises, indicating in the case of each person or group of persons their working hours, periods of rest, and on what days they are entitled to a full day of rest.

## 2. *Hospital Employees.*

Congress of the Union of German Sick Nurses, 6th October, 1911. Dresden. (Referate, Berlin, Deutscher Verlag Berlin S.W. 48).

(1) A working day of ten hours for the time being. (2) Separate nursing staff for day and night duty. (3) Course of training three years; by way of transition from the present system at least two years of training. (4) Courses for the preliminary training of matrons and teaching staff. (5) Prohibition of employing uncertificated nurses in public institutions. (6) Calculation of years of service when changing field of activity. (7) Adequate system of state accident insurance. (8) Inclusion under the insurance of private employes. (9) Appropriate compensation for loss of board during leave of absence. (10) A State inquiry with reference to the economic position of sick nurses.



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# Bulletin

OF THE

# INTERNATIONAL LABOUR OFFICE

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[NOTE.—The German, French, and English editions of the *Bulletin* are referred to as G.B., F.B., and E.B. respectively.]

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## National Labour Legislation

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### 1. LAWS AND ORDERS

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#### I. Austria

1. *Gesetz, betreffend die Abänderung des allgemeinen Berggesetzes vom 23. Mai 1854 R.G. Bl. Nr. 146, hinsichtlich der Regelung der Lohnzahlung beim Bergbau, Nr. 107. Vom 17. Mai 1912 (Reichsgesetzblatt 1912, XLIV., Stück S. 361.)*

**Act relating to the amendment of the General Mining Law of 23rd May, 1854 (R.G.Bl. No. 146) on the regulation of payment of wages in the mining industry. (Dated 17th May, 1912.)**

1. §206 of the Civil Code, as worded in accordance with §1 of the Act of the 3rd May, 1896, R.G.Bl. No. 75, is replaced by the following regulations:—

206. The mineowner shall be bound to pay wages to his foremen at least once a month, and to his workers at least once every fortnight; whenever shorter periods for the payment of wages already exist, such periods must not be extended. On a man leaving the employment, his wages must be paid immediately. The days on which the wages will be regularly paid shall be stated in the rules of employment.

Permission to leave the employment shall not be refused by reason of claims which the mineowner or a third party may have against a foreman or worker.

206a. The wages shall be paid in cash.

Deductions from wages are permissible only in so far as they are provided for in the rules of employment or allowed by special Acts.

Lamps and tools shall be supplied by the mineowner to his workers without charge; the worker shall be liable for damage to such tools only in case he should be the cause of such damage.



Explosives and other working appliances, which are supplied to the workers by the mineowner and for which a charge is made at the time when wages are paid, must not be charged to the workers at a price exceeding the cost price. The quantity and price of the explosives and other working appliances charged on account, must be indicated to the workers in the voucher showing the earnings for each wage period.

206b. The time required for paying wages shall be reckoned within the regular duration of the shift.

No payment of wages shall take place in rooms of inns or public-houses.

206c. If the amount of work done is ascertained, for the purpose of calculating the wages, from the number and the capacity of the trucks, such capacity, unless trucks of uniform capacity are used, shall be clearly and permanently indicated on the truck. If trucks of uniform capacity are used, it shall be sufficient if such capacity is made known to the workers, generally by posting up a notice.

If the amount of work done is ascertained from the loading weight of the trucks, the weight of each truck, when empty, must be ascertained before putting it into use, and subsequently at least once in every year, and in so far as trucks of approximately uniform weight are not used, the weight must be permanently and visibly marked on the truck. If trucks of approximately uniform weight are used, it shall be sufficient to make their average weight when empty known to the workers every time it has been ascertained, by posting up a notice.

206d. If trucks are loaded insufficiently or not in accordance with the rules, their contents, in so far as they are in accordance with the rules, must be taken into account when calculating the wages.

II. §248 of the Civil Code, as worded in accordance with §II. of the Act of 3rd May, 1896 (R.G.Bl. No. 75), is replaced by the following regulations :—

248. Penalties of from K.20 to K.1,000 shall be imposed upon mineowners who contravene the stipulations of §§206 to 206d.

A mineowner shall be subject to a penalty of from K.10 to K.100 for every mine worker whom he has engaged for work without the bill of discharge prescribed by §208.

III. This Act shall come into force four months from the date of its publication. Simultaneously, the Act of the 3rd May, 1896 (R.G.Bl. No. 75) is annulled.

IV. My Minister for Public Works is instructed to carry this Act into effect.

2. *Gesetz betreffend das Halten von Vervielfältigungsapparaten.* Vom 7. Juni 1912. (Reichsgesetzblatt 1912, XLVIII., Stück S. 382.)

**Act concerning the use of duplicating apparatus.** (Dated 7th June, 1912.)

[EXTRACT.]

4. The rules in force with respect to sickness and accident insurance, maintenance for workers, breaks in work, rest on Sundays and holidays, remuneration, notice of dismissal, payment of wages and limitations in the employment of young workers and women in printing works (§7), shall apply also to workers employed in undertakings not subject to the Industrial Code, at printing presses or other duplicating apparatus which are subject to license.

7. All undertakings subject to the Industrial Code, the purpose of which is the reproduction of literary or artistic products by any mechanical or chemical process, shall be considered as printing works within the meaning of §§4 and 6 of this Act.

## II. Great Britain and Ireland

1. **An Act to amend and extend the Shops Regulation Acts, 1892 to 1904.** (1 and 2 Geo. 5, Ch. 54.) 16th December, 1911.
2. **An Act to consolidate the Shops Regulation Acts, 1892 to 1911.** (2 Geo. 5, Ch. 3.) 29th March, 1912.

### *Conditions of Employment.*

1.—(1) On at least one week day in each week a shop assistant shall not be employed about the business of a shop after half-past one o'clock in the afternoon :

Provided that this provision shall not apply to the week preceding a bank holiday if the shop assistant is not employed on the bank holiday, and if on one week day in the following week in addition to the bank holiday the employment of the shop assistant ceases not later than half-past one o'clock in the afternoon.

(2) The occupier of a shop shall fix, and shall specify in a notice in the prescribed form, which must be affixed in the shop in such manner and at such time as may be prescribed, the day of the week on which his shop assistants are not employed after half-past one o'clock, and may fix different days for different shop assistants.

(3) Intervals for meals shall be allowed to each shop assistant in accordance with the First Schedule to this Act :

Provided that this provision shall not apply to a shop if the only persons employed as shop assistants are members of the family of the occupier of the shop, maintained by him and dwelling in his house.

(4) In the case of any contravention of, or failure to comply with, the provisions of this Section, the occupier of the shop shall be guilty of an offence against this Act, and shall be liable to a fine not exceeding—

(a) in the case of a first offence, one pound ;

(b) in the case of a second offence, five pounds ; and

(c) in the case of a third or subsequent offence, ten pounds—

unless, in the case of a shop assistant employed after half-past one o'clock in contravention of this Section, he proves that the shop assistant was employed merely for the purpose of serving a customer whom he was serving at that time, or, where the time of the closing of the shop was also half-past one o'clock, that the shop assistant was employed merely for the purpose of serving customers who were in the shop at that time.

2.—(1) No person under the age of 18 years (in this Act referred to as a "young person") shall be employed in or about a shop for a longer period than 74 hours, including meal times, in any one week.

(2) No young person shall, to the knowledge of the occupier of the shop, be employed in or about a shop—

- (a) having been previously on the same day employed in any factory or workshop, as defined by the Factory and Workshop Act, 1901, for the number of hours permitted by that Act ; or
- (b) for a longer period than will, together with the time during which he has been previously employed on the same day in a factory or workshop, complete such number of hours as aforesaid.

(3) In every shop in which a young person is employed a notice shall be kept exhibited by the occupier of the shop in a conspicuous place referring to the provisions of this Section and stating the number of hours in the week during which a young person may lawfully be employed in or about the shop.

(4) Where a young person is employed in or about a shop contrary to the provisions of this Section, the occupier of the shop shall be guilty of an offence against this Act, and liable to a fine not exceeding one pound, or, where more than one young person is so employed, one pound for each young person, and, if the occupier of a shop fails to comply with the provisions of this Section with respect to notices, he shall be guilty of an offence against this Act, and liable to a fine not exceeding forty shillings.

(5) This Section shall apply to wholesale shops, and to warehouses in which assistants are employed for hire, in like manner as if they were shops within the meaning of this Act, and the provisions of §§13 and 14 of this Act shall, for the purposes of the enforcement of this Section, be construed accordingly.

(6) This Section shall not apply to any person wholly employed as a domestic servant.

3.—(1) In all rooms of a shop where female shop-assistants are employed in the serving of customers, the occupier of the shop shall provide seats behind the counter, or in such other position as may be suitable for the purpose, and such seats shall be in the proportion of not less than one seat to every three female shop-assistants employed in each room.

(2) Any person failing to comply with the provisions of this Section shall be guilty of an offence against this Act, and liable for a first offence to a fine not exceeding three pounds, and for a second or subsequent offence to a fine not less than one pound and not exceeding five pounds.

#### *Closing of Shops.*

4.—(1) Every shop shall, save as otherwise provided by this Act, be closed for the serving of customers not later than one o'clock in the afternoon on one week day in every week.

(2) The local authority may, by order, fix the day on which a shop is to be so closed (in this Act referred to as "the weekly half-holiday"), and any such order may either fix the same day for all shops, or may fix—

- (a) different days for different classes of shops ; or
- (b) different days for different parts of the district ; or
- (c) different days for different periods of the year :

Provided that—

- (i.) where the day fixed is a day other than Saturday, the order shall provide for enabling Saturday to be substituted for such other day ; and
- (ii.) where the day fixed is Saturday, the order shall provide for enabling some other day specified in the order to be substituted for Saturday ;

as respects any shop in which notice to that effect is affixed by the occupier, and that no such order shall be made unless the local authority, after making such inquiry as may be prescribed, are satisfied that the occupiers of a majority of each of the several classes of shops affected by the order approve the order.

(3) Unless and until such an order is made affecting a shop, the weekly half-holiday as respects the shop shall be such day as the occupier may specify in a notice affixed in the shop, but it shall not be lawful for the occupier of the shop to change the day oftener than once in any period of three months.

(4) Where the local authority have reason to believe that a majority of the occupiers of shops of any particular class in any area are in favour of being exempted from the provisions of this Section, either wholly or by fixing as the closing hour instead of one o'clock some other hour not later than two o'clock, the local authority, unless they consider that the area in question is unreasonably small, shall take steps to ascertain the wishes of such occupiers, and, if they are satisfied that a majority of the occupiers of such shops are in favour of the exemption, or, in the case of a vote being taken, that at least one-half of the votes recorded by the occupiers of shops within the area of the class in question are in favour of the exemption, the local authority shall make an order exempting the shops of that class within the area from the provisions of this Section either wholly or to such extent as aforesaid.

(5) Where a shop is closed during the whole day on the occasion of a bank holiday, and that day is not the day fixed for the weekly half-holiday, it shall be lawful for the occupier of the shop to keep the shop open for the serving of customers after the hour at which it is required under this Section to be closed either on the half-holiday immediately preceding, or on the half-holiday immediately succeeding, the bank holiday.

(6) This Section shall not apply to any shop in which the only trade or business carried on is trade or business of any of the classes mentioned in the Second Schedule to this Act, but the local authority may, by order made and revocable in the manner hereinafter provided with respect to closing orders, extend the provisions of this Section to shops of any class exempted under this provision if satisfied that the occupiers of at least two-thirds of the shops of that class approve the order.

(7) In the case of any contravention of or failure to comply with any of the provisions of this Section, the occupier of the shop shall be guilty of an offence against this Act, and shall be liable to a fine not exceeding—

- (a) in the case of a first offence, one pound ;
- (b) in the case of a second offence, five pounds ; and
- (c) in the case of a third or subsequent offence, ten pounds :

Provided that the occupier of a shop shall not be guilty of an offence against this Act when a customer is served at any time at which the shop is required to be closed under this Section if he proves either that the customer

was in the shop before the time when the shop was required to be closed, or that there was reasonable ground for believing that the article supplied to the customer was required in the case of illness.

(8) Nothing in this Section shall prevent customers from being served at a time when the shop in which they are sold is required to be closed with victuals, stores, or other necessities for a ship, on her arrival at or immediately before her departure from a port.

5.—(1) An order (in this Act referred to as “ a closing order ”) made by a local authority, and confirmed by the Secretary of State in manner provided by this Act, may fix the hours on the several days of the week at which, either throughout the area of the local authority or in any specified part thereof, all shops or shops of any specified class are to be closed for serving customers.

(2) The hour fixed by a closing order (in this Act referred to as “ the closing hour ”) shall not be earlier than seven o'clock in the evening on any day of the week.

(3) The order may—

- (a) define the shops and trades to which the order applies ; and
- (b) authorise sales after the closing hour in cases of emergency and in such other circumstances as may be specified or indicated in the order ; and
- (c) contain any incidental, supplemental, or consequential provisions which may appear necessary or proper.

(4) Nothing in a closing order shall apply to any shop in which the only trade or business carried on is trade or business of any of the classes mentioned in the Third Schedule to this Act.

(5) If any person contravenes the provisions of a closing order, he shall be guilty of an offence against this Act, and liable to a fine not exceeding—

- (a) in the case of a first offence, one pound ;
- (b) in the case of a second offence, five pounds ; and
- (c) in the case of a third or subsequent offence, twenty pounds :

Provided that nothing in this Section or in any closing order shall render a person liable to any penalty for serving after the closing hour any customer who was in the shop before the closing hour.

6.—(1) Whenever a local authority are satisfied that a *prima facie* case is made out for making a closing order, the authority shall give public notice in the prescribed manner and in the prescribed form of their intention to make an order, specifying therein a period (not being less than the prescribed period) within which objections may be made to the making of the proposed order, and, if after taking into consideration any objections they may have received the local authority are satisfied that it is expedient to make the order and that the occupiers of at least two-thirds in number of the shops to be affected by the order approve the order, they may make the order.

(2) Notice of the provisions of the order shall be given, and copies thereof shall be supplied in the prescribed manner, and the order shall be submitted to the Secretary of State, and the Secretary of State shall consider any objections to the order, and may either disallow the order or confirm the order with or without amendment.

(3) As soon as the Secretary of State has confirmed any order, the order shall become final and have the effect of an Act of Parliament :

Provided that every closing order shall be laid before each House of Parliament as soon as may be after it is confirmed, and, if an address is presented to His Majesty by either House within the next subsequent forty days on which the House has sat after any such order is laid before it praying that the order may be cancelled, His Majesty in Council may annul the order, and any order so annulled shall thenceforth become void and of no effect, but without prejudice to any proceedings which may in the meantime have been taken under the order and without prejudice to the power of making any new closing order.

7.—(1) Where it appears to the Secretary of State, on the representation of the local authority or a joint representation from a substantial number of occupiers of shops and shop assistants in the area of the local authority, that it is expedient to ascertain the extent to which there is a demand for early closing in any locality, and to promote and facilitate the making of a closing order therein, the Secretary of State may appoint a competent person to hold a local inquiry.

(2) If, after holding such an inquiry and conferring with the local authority, it appears to the person holding the inquiry that it is expedient that a closing order should be made, he shall prepare a draft order and submit it to the Secretary of State together with his report thereon.

(3) If the Secretary of State, after considering the draft order and report, and any representations which the local authority may have made in respect thereof, is of opinion that it is desirable that a closing order should be made, he may communicate his decision to the local authority, and thereupon there shall be deemed to be a *prima facie* case for making a closing order in accordance with the terms of the draft order, subject to such modifications (if any) as the Secretary of State may think fit.

(4) The person who held the inquiry shall, if so directed by the Secretary of State on the application of the local authority, assist and co-operate with the local authority in taking the steps preliminary to making the order.

8. The Secretary of State may, at any time on the application of the local authority, revoke a closing order either absolutely or so far as it affects any particular class of shops, and, if at any time it is made to appear to the satisfaction of the local authority that the occupiers of a majority of any class of shops to which a closing order applies are opposed to the continuance of the order, the local authority shall apply to the Secretary of State to revoke the order in so far as it affects that class of shops, but any such revocation shall be without prejudice to the making of any new closing order.

*Provisions with respect to Special Classes of Trade or Business.*

9. It shall not be lawful in any locality to carry on in any place not being a shop retail trade or business of any class at any time when it would be unlawful in that locality to keep a shop open for the purposes of retail trade or business of that class, and, if any person carries on any trade or business in contravention of this Section, this Act shall apply as if he were the occupier of a shop and the shop were being kept open in contravention of this Act :

Provided that—

(a) the prohibition imposed by this Section shall, as respects any day other than the weekly half-holiday, be subject to such exemptions and conditions (if any) as may be contained in closing orders ; and

(b) nothing in this Section shall be construed as preventing a barber or hairdresser from attending a customer in the customer's residence, or the holding of an auction sale of private effects in a private dwelling-house ; and

(c) nothing in this Section shall apply to the sale of newspapers.

10.—(1) Where several trades or businesses are carried on in the same shop, and any of those trades or businesses is of such a nature that, if it were the only trade or business carried on in the shop, the shop would be exempt from the obligation to be closed on the weekly half-holiday, the exemption shall apply to the shop so far as the carrying on of that trade or business is concerned, subject, however, to such conditions as may be prescribed.

(2) Where several trades and businesses are carried on in the same shop and any of those trades or businesses are of such a nature that if they were the only trades or businesses carried on in the shop a closing order would not apply to the shop, the shop may be kept open after the closing hour for the purposes of those trades and businesses alone, but on such terms and under such conditions as may be specified in the order.

(3) Where several trades or businesses are carried on in the same shop, the local authority may require the occupier of the shop to specify which trade or business he considers to be his principal trade or business, and no trade or business other than that so specified shall, for the purpose of determining a majority under this Act, be considered as carried on in the shop unless the occupier of the shop satisfies the local authority that it forms a substantial part of the business carried on in the shop.

11.—(1) In places frequented as holiday resorts during certain seasons of the year the local authority may by order suspend, for such period or periods as may be specified in the order, not exceeding in the aggregate four months in any year, the obligation imposed by this Act to close shops on the weekly half-holiday.

(2) Where the occupier of any shop in any place in which any such order of suspension is in force satisfies the local authority that it is the practice to allow all his shop assistants a holiday on full pay of not less than two weeks in every year, and keeps affixed in his shop a notice to that effect, the requirement that on one day in each week a shop assistant shall not be employed after half-past one o'clock shall not apply to the shop during such period or periods as aforesaid.

12.—(1) Where Post Office business is carried on in any shop in addition to any other business, this Act shall apply to that shop subject to the following modifications :—

(a) If the shop is a telegraph office, the obligation to close on the weekly half-holiday shall not apply to the shop so far as relates to the transaction of Post Office business thereat ;

(b) Where the Postmaster-General certifies that the exigencies of the postal service require that Post Office business should be transacted in any such shop at times when under the provisions of this Act relating to the weekly half-holiday the shop would be required to be closed, or under conditions not authorised by §1 of this Act, the shop shall, for the purpose of the transaction of Post Office business, be exempted from the provisions of this Act to such extent as the Postmaster-General may certify to be necessary for the purpose :

Provided that in such cases the Postmaster-General shall make the best arrangements that the exigencies of the postal service allow with a view to the conditions of employment of the persons employed being on the whole not less favourable than those secured by this Act :

(c) The provisions contained in any closing order imposing terms or conditions on the keeping open of any such shop after the closing hour for the transaction of Post Office business shall be subject to the approval of the Postmaster-General.

(2) Save as aforesaid, nothing in this Act shall apply to Post Office business, or to any premises in which Post Office business is transacted.

#### *Enforcement of Act.*

13.—(1) It shall be the duty of every local authority to enforce within their district the provisions of this Act, and of the orders made thereunder or under any enactment repealed by this Act, and for that purpose to institute and carry on such proceedings in respect of failures to comply with or contraventions of this Act and such orders as aforesaid as may be necessary to secure the observance thereof, and to appoint inspectors ; and an inspector so appointed shall, for the purposes of his powers and duties, have in relation to shops all the powers conferred in relation to factories and workshops on inspectors by §119 of the Factory and Workshop Act, 1901, and that Section and §121 of the same Act shall apply accordingly ; and an inspector may, if so authorised by the local authority, institute and carry on any proceedings under this Act on behalf of the authority.

(2) In this Act the expression " local authority " means—

as respects the City of London, the common council ;

as respects any municipal borough, the council of the borough ;

as respects any urban district with a population according to the returns of the last published census for the time being of 20,000 or upward, the district council ;

elsewhere, the county council :

Provided that a county council may, with the approval of the Secretary of State, make arrangements with the council of an urban district in the county with a population of less than 20,000, or with the council of a rural district, for the exercise by the council of that district as agents for the county council, on such terms and subject to such conditions as may be agreed on, of any powers of the county council under this Act within the district, and the council of the district may, as part of the agreement, undertake to pay the whole or any part of the expenses incurred in connection with the exercise of the powers delegated to them, and the London County Council may, with the like approval, make similar arrangements with the council of any metropolitan borough.

(3) The expenses of a local authority under this Act (including any expenses which a council undertake to pay as aforesaid), shall be defrayed—

in the case of the common council of the City of London, out of the general rate ;

in the case of the council of a borough, out of the borough fund or borough rate ;

in the case of a district council, as part of the general expenses incurred in the execution of the Public Health Acts ;

in the case of a county council, as expenses for special county purposes ;



in the case of a metropolitan borough council, as part of the expenses of the council.

14.—(1) All offences against this Act shall be prosecuted, and all fines under this Act shall be recovered, in like manner as offences and fines are prosecuted and recovered under the Factory and Workshop Act, 1901, and §§143-146 of that Act, and so much of §147 thereof as relates to evidence respecting the age of any person, so far as those provisions are applicable, shall have effect as if re-enacted in this Act and in terms made applicable thereto :

Provided that all fines imposed in any proceedings instituted by or on behalf of a local authority in pursuance of their powers and duties under this Act shall be paid to the local authority and carried to the credit of the fund out of which the expenses incurred by the authority under this Act are defrayed.

(2) Where an offence for which the occupier of a shop is liable under this Act has, in fact, been committed by some manager, agent, servant, or other person, the manager, agent, servant, or other person shall be liable to the like penalty as if he were the occupier.

(3) Where the occupier of a shop is charged with an offence against this Act, he shall be entitled upon information duly laid by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge ; and if, after the commission of the offence has been proved, he proves to the satisfaction of the court that he has used due diligence to enforce the execution of the Act, and that the said other person has committed the offence in question without his knowledge, consent, or connivance, the said other person shall be summarily convicted of such offence, and the occupier shall be exempt from any fine.

#### *General Provisions.*

15. Any expenses incurred by the Secretary of State under this Act, including the remuneration of any person holding a local inquiry under §7 of this Act shall, to such extent as may be sanctioned by the Treasury, be paid out of moneys provided by Parliament.

16. In addition to the local inquiries which the Secretary of State is empowered to hold under §7 of this Act, the Secretary of State may cause a local inquiry to be held for the purposes of any of his powers and duties under this Act, and the costs incurred in relation to any such last-mentioned inquiry, including the salary of any officer engaged in the inquiry, not exceeding three guineas a day, shall be paid by the local authority concerned, and the Secretary of State may certify the amount of the costs incurred. Any sums so certified shall be a debt to the Crown from the local authority.

17. The Secretary of State may make regulations—

(a) for prescribing anything which under this Act is to be prescribed ; and

(b) as to the mode of ascertaining the opinion of occupiers of shops ; and

(c) as to conduct of local inquiries and matters incidental thereto ; and

(d) as to the procedure for obtaining the revocation of a closing order ; and

(e) generally for carrying into effect the provisions of this Act.

18.—(1) Any order made by a local authority under this Act may be proved by the production of a copy thereof certified to be a true copy by a person purporting to be the clerk of the local authority by whom the order was made.

(2) Any order made by a local authority under this Act may, unless some other method of revocation is provided by this Act, be revoked by an order made in the like manner and subject to the like approval, if any, as the original order.

19.—(1) In this Act—

The expression “shop” includes any premises where any retail trade or business is carried on;

The expression “retail trade or business” includes the business of a barber or hairdresser, the sale of refreshments or intoxicating liquors, and retail sales by auction, but does not include the sale of programmes and catalogues and other similar sales at theatres and places of amusement;

The expression “shop assistant” means any person wholly or mainly employed in a shop in connection with the serving of customers or the receipt of orders or the despatch of goods;

The expression “bank holiday” includes any public holiday or day of public rejoicing or mourning;

The expression “week” means the period between midnight on Saturday night and midnight on the succeeding Saturday night.

(2) Nothing in this Act shall apply to any fair lawfully held or any bazaar or sale of work for charitable or other purposes from which no private profit is derived.

20. This Act shall apply to Scotland, subject to the following modifications :—

The Secretary for Scotland shall be substituted for the Secretary of State :

The local authority for the purposes of this Act shall be the county council in a county (exclusive of the police burghs therein) and the town council in a royal, parliamentary, or police burgh ; and the expenses of a local authority under this Act shall be defrayed, in the case of a county council, out of the general purposes rate, and, in the case of a town council, out of the burgh general improvement assessment, or any other assessment leviable by the town council in equal proportions on owners and occupiers : Provided that the ratepayers of a police burgh shall not be assessed by the county council for any such expenses :

References to any provisions of the Factory and Workshop Act, 1901, shall be construed as references to those provisions as applied to Scotland by §159 of that Act.

21. This Act shall apply to Ireland, subject to the following modifications :—

(1) The Lord Lieutenant shall be substituted for the Secretary of State :

- (2) The expression "local authority" means—  
as respects any municipal borough, the council of the borough ;  
as respects any urban district, the district council ; and  
as respects any town having town commissioners and not being  
an urban district (in this Section referred to as a town), the town  
commissioners :
- (3) The expenses of local authorities under this Act shall be de-  
frayed—  
in the case of the council of a borough, out of the borough fund  
or borough rate ;  
in the case of a district council, as part of the general expenses  
incurred in the execution of the Public Health (Ireland) Acts, 1878  
to 1907 ; and  
in the case of town commissioners, out of any rate leviable by  
them as such commissioners throughout the whole of their district :
- (4) References to any provisions of the Factory and Workshop Act,  
1901, shall be construed as references to those provisions as applied to  
Ireland by §160 of that Act :
- (5) The provisions of this Act specified in the first column of the  
Fourth Schedule to this Act shall, to the extent and subject to the modifica-  
tions specified in the second column of that schedule, apply to rural districts  
in Ireland, with this exception, that the provisions specified in Part I. of  
that schedule shall apply only to towns within rural districts in Ireland ;  
save as aforesaid, this Act shall not apply to rural districts in Ireland or  
to towns within such districts :
- (6) In the case of a shop assistant employed in a shop in which the  
business of the sale by retail of intoxicating liquors is carried on, §1 of this  
Act shall not apply, but, instead thereof, the provisions contained in the  
Fifth Schedule to this Act shall have effect with respect to shops in which  
that business is carried on, and, in the case of any contravention of, or  
failure to comply with, the provisions of that schedule, the occupier of the  
shop shall be guilty of an offence against this Act, and shall be liable to a  
fine not exceeding—  
(a) in the case of a first offence, one pound ;  
(b) in the case of a second offence, five pounds ; and  
(c) in the case of a third or any subsequent offence, ten pounds :
- (7) Any shop in which the trade or business of the sale by retail of  
intoxicating liquors is carried on in conjunction with any other trade or  
business shall, as respects all such trades or businesses, be exempt from the  
obligation to be closed on the weekly half-holiday :
- (8) A local authority may, in addition to its other powers under  
this Act, make an order fixing the hours on the several week-days before  
which, either throughout the area of the local authority or in any specified  
part thereof, no shop in which the business of the sale of intoxicating liquors  
is carried on shall be open for serving customers :
- Such order shall be deemed to be a closing order, and all the pro-  
visions of this Act, with respect to closing orders, save those relating to the  
earliest hours to be fixed by a closing order, shall apply accordingly with  
the necessary modifications :

Provided that an order made under this Sub-section shall not in any way affect the powers conferred by §11 of the Licensing (Ireland) Act, 1874, of granting exemption orders in respect of licensed premises, or apply to any licensed premises during any time during which the premises are permitted to be open under any such exemption order :

(9) Shops in which there is carried on the business of the sale by retail of intoxicating liquors for consumption on or off the premises, whether such business is carried on alone or in conjunction with any other business or trade, shall, for the purposes of the provisions of this Act with respect to closing orders, be deemed to be shops of a separate class, and a local authority shall not make a closing order applying to shops of that class unless they are satisfied that the occupiers of at least two-thirds in number of the shops of that class approve the order :

(10) Shops in which there is carried on the business of the sale by retail of intoxicating liquors for consumption off the premises only, whether such business is carried on alone or in conjunction with any other business or trade, shall, in like manner and for the purposes aforesaid, be deemed to be shops of a separate class, and the provisions of the last preceding Sub-section with respect to the making of closing orders shall apply to that class of shops as a separate class accordingly.

22.—(1) This Act may be cited as the Shops Act, 1912.

(2) This Act shall come into operation on 1st May, 1912.

(3) The Shops Regulation Acts, 1892 to 1911, are hereby repealed :

Provided that any closing order made under the Shop Hours Act, 1904, which is in force at the commencement of this Act, shall continue in force until revoked in accordance with the provisions of this Act, except in so far as it fixes a closing hour earlier than seven o'clock for any shop to which the provisions of this Act with respect to the weekly half-holiday apply.

## SCHEDULES.

### FIRST SCHEDULE.

#### INTERVALS FOR MEALS.

Intervals for meals shall be arranged so as to secure that no person shall be employed for more than six hours without an interval of at least twenty minutes being allowed during the course thereof.

Without prejudice to the foregoing provision—

(1) where the hours of employment include the hours from 11.30 a.m. to 2.30 p.m., an interval of not less than three-quarters of an hour shall be allowed between those hours for dinner ; and

(2) where the hours of employment include the hours from 4 p.m. to 7 p.m., an interval of not less than half-an-hour shall be allowed between those hours for tea ;

and the interval for dinner shall be increased to one hour in cases where that meal is not taken in the shop, or in a building of which the shop forms part or to which the shop is attached :

Provided that an assistant employed in the sale of refreshments or in the sale by retail of intoxicating liquors need not be allowed the interval for dinner between 11.30 a.m. and 2.30 p.m., if he is allowed the same interval so arranged as either to end not earlier than 11.30 a.m. or to commence not later than 2.30 p.m., and the same exemption shall apply to assistants employed in any shop on the market day in any town in which a market is held not oftener than once a week, or on a day on which an annual fair is held.

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## SECOND SCHEDULE.

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### TRADES AND BUSINESSES EXEMPTED FROM THE PROVISIONS AS TO WEEKLY HALF-HOLIDAY.

The sale by retail of intoxicating liquors.

The sale of refreshments, including the business carried on at a railway refreshment room.

The sale of motor, cycle, and air-craft supplies and accessories to travellers.

The sale of newspapers and periodicals.

The sale of meat, fish, milk, cream, bread, confectionery, fruit, vegetables, flowers, and other articles of a perishable nature.

The sale of tobacco and smokers' requisites.

The business carried on at a railway bookstall on or adjoining a railway platform.

The sale of medicines and medical and surgical appliances.

Retail trade carried on at an exhibition or show, if the local authority certify that such retail trade is subsidiary or ancillary only to the main purpose of the exhibition or show.

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## THIRD SCHEDULE.

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### TRADES AND BUSINESSES EXEMPTED FROM PROVISIONS OF CLOSING ORDERS.

The sale by retail of intoxicating liquors.

The sale of refreshments for consumption on the premises.

The business carried on at a railway refreshment room.

The sale of newspapers.

The sale of tobacco and smokers' requisites.

The business carried on at a railway bookstall.

The sale of medicines and medical and surgical appliances.

Post Office business.

## FOURTH SCHEDULE.

## PROVISIONS APPLICABLE TO RURAL DISTRICTS IN IRELAND AND TOWNS WITHIN SUCH DISTRICTS.

## PART I.

## TOWNS WITHIN RURAL DISTRICTS.

Section of Act.	Extent of Application and Modifications.
5	The whole Section ; subject to the modifications that on one specified day in the week the closing hour may be an hour not earlier than one o'clock in the afternoon, and that a closing order may prohibit, either absolutely or subject to such exemptions and conditions as may be contained in the order, the carrying on of any retail trade after the closing hour in any place, not being a shop within the area to which the order applies for the carrying on of which it would be unlawful to keep a shop open after that hour.
6	The whole Section.
8	The whole Section.
10	Sub-section (2).
12	Sub-section (1) except paragraphs (a) and (b).
13	Sub-section (1), so far as relates to the appointment of inspectors by local authorities and the powers of inspectors so appointed (other than powers to institute and carry on proceedings on behalf of a local authority), subject to the modification that it shall not be obligatory on the local authority to appoint inspectors unless they think fit.
16	The whole Section.
17	The whole Section.
18	Sub-section (1).
Third Schedule	The whole Schedule.

## PART II.

## RURAL DISTRICTS, INCLUDING TOWNS WITHIN SUCH DISTRICTS.

Section of Act.	Extent of Application and Modifications.
2	The whole Section, subject to the modification that it shall not apply to— (a) any shop, wholesale shop, or warehouse where the only persons employed are members of the same family dwelling in a building of which such shop or warehouse forms part or to which such shop or warehouse is attached ; or (b) members of the occupier's family so dwelling.
3	The whole Section.
14	The whole Section, except the proviso to Sub-section (1) and Sub-section (2).
19	The whole Section.
21	The whole Section, except paragraph (6) and the succeeding paragraphs.
22	The whole Section.

## FIFTH SCHEDULE.

## PROVISIONS WITH RESPECT TO SHOPS IN IRELAND IN WHICH THE BUSINESS OF THE SALE BY RETAIL OF INTOXICATING LIQUORS IS CARRIED ON.

1. A shop assistant shall not, save as otherwise provided by this schedule, be employed for more than seventy-two hours (exclusive of meal hours) in any week about the business of a shop in which the sale by retail of intoxicating liquors is carried on.

2. Intervals for meals shall be allowed to each assistant, amounting to not less than two hours on each week-day.

3. The occupier of the shop shall fix within the limit aforesaid, and shall specify in a notice in the prescribed form affixed in the shop, the times at which the employment or the several spells of employment, as the case may be, of the assistant are to commence and end on the several days of the week, and the assistant shall not be employed about the business of the shop except within the time so fixed.

4. The assistant may be employed overtime for not more than ninety hours in the calendar year, and such employment shall not be reckoned as employment for the purposes of the foregoing limitation of the hours of employment :

Provided that, during the first two months after the assistant has entered the employment, the amount of overtime worked by him shall not exceed the proportion of two hours for every week he has been in the employment, or is entitled under a contract to continue in the employment.

5. The assistant shall be deemed to be employed overtime if he is employed before the time fixed by the notice for the commencement or after the time so fixed for the ending of his employment or during the interval so fixed between two spells of employment, and overtime shall be reckoned in periods of half an hour, and any period of overtime of less than half an hour shall be reckoned as a complete half hour; and the occupier of the shop when he intends to employ the assistant overtime on any day shall, before the overtime employment commences, record the prescribed particulars with respect to that employment in the prescribed manner.

6. The assistant shall, subject as hereinafter mentioned, be allowed on one week-day in each week a holiday of not less than seven hours (in this schedule referred to as a weekly half-holiday).

Unless the employer and the shop assistant otherwise agree, the weekly half-holiday shall commence either at the time at which the shop opens on that day (in this paragraph referred to as "a morning half-holiday"), or at a time not less than seven hours before the time at which the shop closes on that day (in this paragraph referred to as "an afternoon half-holiday"), and the aforesaid half-holidays shall be so arranged that the assistant shall be allowed a morning half-holiday and an afternoon half-holiday alternately.

7. An assistant who has been employed by the same employer for a period of not less than twenty-six consecutive weeks about the business of one or more shops of the employer shall, so long as he continues in the employment of that employer, be allowed an annual holiday of at least seven consecutive days, or, if he has been employed as aforesaid for a period of not less than fifty-two consecutive weeks, an annual holiday of at least fourteen consecutive days.

8. In any week in which an assistant is absent from his employment in or about the business of the shop, either on his annual holiday or on account of ill-health or otherwise, the weekly half-holiday may be disallowed in the case of every other assistant employed in or about the business of the shop and the number of hours of weekly employment of every such other assistant may be increased by seven hours accordingly: Provided that, where the assistant is absent for more than four consecutive weeks on account of ill-health, the weekly half-holiday of the other assistants shall not be disallowed and their hours of employment shall not be increased by reason of such absence except in the first four weeks in which he is absent.

9. No deduction from wages or salary payable to the assistant shall be made on account of any such holidays or half-holidays as aforesaid.

## **Ila. British Colonies**

### **I. MALTA.**

**An Ordinance to prohibit the manufacture, sale, and importation of matches made with white phosphorus. No. IX. of 1910. (1st June, 1910.)**

1. This Ordinance may be cited as "The White Phosphorus Matches Prohibition Ordinance, 1910."

2. In this Ordinance, "white phosphorus" means the substance usually known as white or yellow phosphorus.

3. It shall not be lawful for any person to use white phosphorus in the manufacture of matches.



4. The owner or manager of any factory in which the manufacture of matches is carried on shall allow any police officer not below the rank of sub-inspector at any time to take for analysis sufficient samples of any material in use or mixed for use: Provided that the owner or manager may, at the time when the sample is taken, and on providing the necessary appliances, require such police officer to divide the sample so taken into two parts, and to mark, seal, and deliver to him one part.

5. It shall not be lawful for any person to sell, or to offer or expose for sale, or to have in his possession for the purpose of sale, any matches made with white phosphorus: Provided that this provision shall not come into operation, as respects any retail dealer, until the 1st day of January, one thousand nine hundred and eleven.

6. It shall not be lawful to import into these islands matches made with white phosphorus, and matches so made shall be deemed to be prohibited goods to which the provisions of Ordinance No. VII. of 1909 apply.

7. If any person contravenes the provisions of Articles 3 and 5, or interferes with, or obstructs the police in the execution of their duty under this Ordinance, such person shall be liable to be punished with *ammenda*, or with *multa* (fine), and all white phosphorus or matches made with white phosphorus, found in his possession may be seized by any officer of police, and shall be liable to be forfeited.

8. This Ordinance shall, except as otherwise expressly provided, come into operation on the first day of October, one thousand nine hundred and ten.

## II. ANTIGUA.

1. **An Ordinance to regulate the payment of the wages of labourers.** No. VIII. of 1908. (25th April, 1908.)

2. **An Ordinance to prohibit the manufacture, sale, and importation of matches made with white phosphorus, and for other purposes in connection therewith.** No. XI. of 1910. (6th August, 1910.)

1. This Ordinance may be cited as "The White Phosphorus Matches Prohibition Ordinance, 1910."

2. For the purposes of this Ordinance, the expression "white phosphorus" means the substance usually known as white or yellow phosphorus.

3. (1) It shall not be lawful for any person to use white phosphorus in the manufacture of matches.

(2) The occupier of any factory in which the manufacture of matches is carried on shall allow any inspector of police, or any member of the Leeward Islands Police Force duly authorised by such inspector, at any time, to take for analysis sufficient samples of any material in use or mixed for use.

Provided that the occupier may, at the time when the sample is taken, and on providing the necessary appliances, require the inspector of police or member of the Leeward Islands Police Force, as aforesaid, to divide the sample so taken into two parts, and to mark, seal, and deliver to him one part.

4. It shall not be lawful for any person to sell, or to offer or expose for sale, or to have in his possession for the purposes of sale, any matches made with white phosphorus, but this provision shall not come into operation, as respects any retail dealer, until the first day of July, nineteen hundred and eleven.

5. It shall not be lawful to introduce or attempt to introduce into Antigua matches made with white phosphorus.

6. Any person offending against the provisions of this Ordinance, or interfering with, or obstructing the police in the execution of their duty, shall, on summary conviction, be liable to a penalty not exceeding fifty pounds, and all white phosphorus, or matches made with white phosphorus, found in his possession, may be seized by an officer of police, and may be forfeited and destroyed by order of the court.

7. All penalties under this Ordinance shall be recoverable summarily in manner directed by the Magistrates' Code of Procedure Act, 1891.

8. This Ordinance shall come into operation the first day of January, nineteen hundred and eleven.

### III. CANADA.

#### SASKATCHEWAN.

**An Act for the protection of persons employed in factories.** Ch. 10, 1909.  
(Assented to 18th December, 1909.)

#### *Short Title.*

1. This Act may be cited as "The Factories Act."

#### *Interpretation.*

2. In this Act, unless the context otherwise requires the expression :

(1) "Factory" means :

(a) Any building, workshop, structure or premises of the description mentioned in Schedule A to this Act together with such other building, structure or premises as the Lieutenant-Governor in Council may from time to time add to the said schedule ; and the Lieutenant-Governor in Council may from time to time by proclamation notice of which shall be published in the *Saskatchewan Gazette* add to or remove from the said schedule such description of premises as he deems necessary or proper ;

(b) Any premises, building, workshop, structure, room or place wherein or within the precincts of which steam, water or other mechanical power is used to move or work any machinery employed in preparing, manufacturing or finishing or in any process incidental to the preparing, manufacturing or finishing of any article, substance, material, fabric or compound or is used to aid the manufacturing process carried on therein ;

(c) Any premises, building, workshop, structure, room or place wherein the employer of the persons working therein has the right of access or control and in which or within the precincts of which any manual labour is exercised by way of trade or for the purposes of gain in or incidental to the following purposes or any of them, that is to say : the making of any article or part of any article ; the altering, repairing, ornamenting or finishing of any article ; or the adapting for sale of any article :

Provided that where not more than five persons are employed in any place coming within the foregoing definition of a factory or that where children, youths, young girls or women are employed at home, that is to say in a private house, place or room used as a dwelling wherein neither steam, water nor other mechanical power is used in aid of the manufacturing process carried on therein and wherein the only persons employed are members of the same family dwelling therein the provisions of this Act shall not apply ;

(i.) A part of a factory may for the purposes of this Act be taken to be a separate factory ; and a place used as a dwelling shall not be deemed to form part of the factory for the purposes of this Act ;

(ii.) Where a place situate within the close or precincts forming a factory is used solely for some purpose other than the manufacturing process or handicraft carried on in the factory such place shall not be deemed to form part of that factory for the purposes of this Act but shall if otherwise it would be a factory be deemed to be a separate factory and be regulated accordingly ;

(iii.) Any premises or place shall not be excluded from the definition of a factory by reason only that such premises or place are or is in the open air ;

(iv.) Where any owner, tenant or occupier of any premises, building, workshop, structure, room or place who has the right of access thereto and control thereof lets or hires out or contracts for work, or labour to be done therein by any person and such other person engages or employs therein any workman, child, youth, young girl or woman in or for the carrying out or performing of such work or labour or any part thereof every such workman, child, youth, young girl or woman shall for all the purposes of this Act be deemed to be in the service and employment of such owner, tenant or occupier and in computing the number of persons employed in any place in order to ascertain whether such place is a factory every such workman, child, youth, young girl or woman shall be taken into account.

(2) " Minister " means the member of the Executive Council who may be entrusted by the Lieutenant-Governor in Council with the administration of this Act.

(3) " Inspector " means any one of the inspectors appointed by order of the Lieutenant-Governor in Council under the authority and for enforcing the provisions of this Act.

(4) " Employer " means any person who in his own behalf or as the manager, superintendent, overseer or agent for any person, firm, company or corporation has charge of any factory and employs persons therein.

(5) " Week " means the period between midnight on Sunday night and midnight on the succeeding Saturday night ;

(6) " Child " means a person under the age of fourteen years.

(7) " Youth " means a male person of the age of fourteen years and under the age of sixteen years.

(8) " Young girl " means a female person of the age of fourteen years and under the age of eighteen years.

(9) " Woman " means a female person of eighteen years of age and upwards.

(10) "Parent" means a parent or guardian of or a person having the legal custody of or the control over or having direct benefit from the wages of a child, youth or young girl.

(11) "Court" or "court of summary jurisdiction" means the justices of the peace or police magistrate, as the case may be, to whom jurisdiction is given by this Act to hear and determine prosecutions under this Act.

(12) "Mill gearing" comprehends every shaft whether upright, oblique or horizontal, and every wheel, drum or pulley by which the motion of the first moving power is communicated to any machine appertaining to a manufacturing process.

(13) "Night" or "night time" means the interval between nine o'clock in the afternoon and six o'clock in the forenoon of the following day; and "day" or "day time" means the interval between six o'clock in the forenoon and nine o'clock in the afternoon of the same day.

3. No child shall be employed in any factory.

4. The Lieutenant-Governor in Council may from time to time by order in council notice of which shall be published in the *Saskatchewan Gazette* prohibit the employment of youths and young girls in factories the work in which is deemed by the Lieutenant-Governor in Council to be dangerous or unwholesome.

5. Any person found in a factory except during meal hours or while all the machinery of the factory is stopped or when present for the sole purpose of bringing food to any person employed in the factory shall until the contrary is proved be deemed for the purposes of this Act to have been then employed in the factory.

(2) Yards, playgrounds and places open to the public view, waiting rooms and other rooms belonging to the factory in which no machinery is used or manufacturing process carried on shall not be taken to be any part of the factory within the meaning of this Section.

(3) Where any person is in the opinion of the court apparently of the age alleged by the informant it shall lie on the defendant to prove that such person is not of that age.

6. A child, youth, young girl or woman who works in a factory whether for wages or not either in a manufacturing process or handicraft or in cleaning any part of the factory used for any manufacturing process or handicraft or in cleaning or oiling any part of the machinery or in any other kind of work whatsoever incidental to or connected with the manufacturing process or handicraft or connected with the article made or otherwise the subject of the manufacturing process or handicraft therein shall save as is otherwise provided by this Act be deemed to be employed in such factory within the meaning of this Act; and for the purposes of this Act an apprentice shall be deemed to work for hire.

(2) Young girls and women in factories shall during working hours wear their hair rolled or plaited and fastened securely to their heads or confined in a close fitting cap or net so as to avoid contact with working machines or shafting or material being handled; and it shall be the duty of managers, superintendents, foremen and others in charge to see that employees are fully notified of the provisions of this Section.

7. It shall be unlawful to employ in a factory any youth, young girl or woman so that the health of such youth, young girl or woman is likely to be permanently injured.

8. No youth, young girl or woman shall be employed in any factory for more than eight hours in any one day and forty-five hours in any one week ; the hours of working in any one day shall not be later than half-past six o'clock in the afternoon unless a special permit in writing has been obtained from an inspector.

(2) In every factory the employer shall allow every youth, young girl and woman therein employed not less than one hour at noon of each day for meals ; but such hour shall not be counted as part of the time herein limited as respects the employment of youths, young girls and women.

(3) If an inspector so directs in writing the employer shall not allow any youth, young girl or woman to take meals in any room wherein any manufacturing process is then being carried on ; and if the inspector so directs in writing the employer shall at his own expense provide a suitable room or place in the factory or in connection therewith for the purpose of a dining and eating room for persons employed in the factory.

(4) Any contravention of the provisions of this Section is for greater certainty and not so as to restrict the generality of the provisions of §7 of this Act hereby declared to be an employing within the prohibition contained in the said §7.

9. Subject to any regulations which may be made in that behalf by the Lieutenant-Governor in Council an inspector :

(a) Where any accident which prevents the working of any factory happens to the motive power of any machinery ; or

(b) Where from any other occurrence beyond the control of the employer the machinery or any part of the machinery of any factory cannot be regularly worked ; or

(c) Where the customs or exigencies of certain trades require that the youths, young girls or women working in a factory or in certain processes in a factory shall be employed for a longer period than as herein provided ;

may on due proof to his satisfaction of such accident, occurrence, custom or exigency of trade grant such exemption from the observance of the foregoing provisions of this Act as will in his judgment fairly and equitably to the proprietors of such factory and to the youths, young girls or women employed therein make up for any loss of labour from such accident or occurrence or meet the requirements of such custom or exigency of trade.

(2) Whenever such exemption is granted :

(a) No youth, young girl or woman shall be employed before the hour of seven o'clock in the morning or after the hour of ten o'clock in the afternoon ; and

(b) The hours of labour for youths, young girls and women shall not be more than twelve and a half in any one day nor more than seventy-two and a half in any one week ; and

(c) Such exemptions shall not comprise more than thirty-six days in the whole in any year ; and in reckoning such period of thirty-six days every day on which any youth, young girl or woman has been employed overtime shall be taken into account ; and

(d) During the continuance of such exemption there shall in addition to the hour for the noon-day meal provided for by §8 of this Act be allowed to every youth, young girl or woman so employed in the factory on any day to an hour later than seven o'clock in the afternoon not less than forty-five minutes for another or evening meal between five and eight of the clock in the afternoon ; and

(e) In every factory with respect to which any such exemption is so granted there shall in compliance with the provisions of §34 of this Act be affixed a notice specifying the extent and particulars of such exemption.

10. When under the exemptions provided for in this Act any youth, young girl or woman is employed in any factory on any day for a longer period than is allowed under §8 hereof the duration of such employment shall be daily recorded by the employer in a register which shall be in such form as may be required by any regulations made in that behalf by the Lieutenant-Governor in Council.

11. Notice of the hours between which youths, young girls or women are to be employed in any factory shall be made in such form as may be required by the regulations made in that behalf by the Lieutenant-Governor in Council and the form of such notice shall be signed by an inspector and by the employer and shall be hung up during the period affected by such notice in such conspicuous place or places in the factory as the inspector requires.

12. A young girl shall not be allowed to clean any part of the machinery in a factory while the same is in motion by aid of steam, water or other mechanical power.

(2) A young girl or woman shall not be allowed to clean any mill gearing in a factory while the same is in motion for the purpose of propelling any part of the manufacturing machinery.

(3) A young girl shall not be allowed to work between the fixed and traversing part of any self-acting machine while such machine is in motion by the action of steam, water or other machinery power.

(4) A young girl or woman allowed by an employer to clean or to work in contravention of this Section shall be deemed to be employed by him contrary to the provisions of §7 of this Act.

13. (a) The owner of every factory shall provide a sufficient number and description of privies, earth or water closets and urinals for the employees of such factory, including separate sets for the use of male and female employees, and shall have separate approaches to the same, the recognised standard being one closet for every twenty-five persons employed in the factory ;

(b) The owner of every factory shall be held responsible for the remedying of any effluvia arising from any drain or defective plumbing and for any repairs required to keep the building in a safe and habitable condition ;

(c) The owner of every factory shall arrange for a supply of pure drinking water available for each tenant in the factory.

(2) The owner of every factory who for thirty days refuses or neglects to comply with any of the above requirements or conditions after being notified in writing in regard to the same by an inspector shall be deemed to be guilty of a contravention of the provisions of this Act.

14. (a) The employer of every factory shall keep the factory in a clean and sanitary condition and free from any effluvia arising from refuse of any kind ;

(b) The employer of every factory shall keep privies, earth or water closets and urinals in good repair and in a sanitary condition and shall be held responsible for keeping closets separated for male and female employees ;

(c) The employer of every factory shall heat each compartment used by him and regulate the temperature so as not to be injurious to the health and comfort of the employees and so as to be consistent with the work performed therein, but in no case shall the temperature be less than 60 deg. Fahrenheit unless specially authorised by an inspector in writing ;

(d) The employer of every factory shall be held responsible for ventilating the factory in such a manner as to keep the air reasonably pure and so as to render harmless so far as reasonably practicable all gases, vapours, dust or other impurities originating in the course of the manufacturing process or handicraft carried on therein that may be injurious to the health ;

(e) The employer of every factory shall not allow overcrowding while work is carried on therein so as to be injurious to the health of the persons employed therein, the standard to be allowed being 300 cubic feet of room space for each employee ;

(f) Every inspector shall have power in his discretion to require the employer to provide a sufficient number of spittoons and place the same in different parts of the factory and to keep the same clean ;

(g) In every factory where any process is carried on by which dust is caused to exist and may be inhaled by the workers to an injurious extent if such inhalation can by mechanical means be prevented or partially prevented the inspector may subject to such regulations as may be made in that behalf by the Lieutenant-Governor in Council under the provisions of this Act direct that such means shall be provided within a reasonable time by the employer who in such cases shall be bound to provide them ;

(h) The employer of every factory shall provide for employees a supply of wholesome drinking water and proper drinking cups which shall be at least eight feet distant from water closets and urinals.

(2) Where grinding, polishing or buffing is carried on in any shop the preceding paragraph (g) shall apply irrespective of the number of persons employed therein.

(3) The employer of every factory who for thirty days refuses or neglects to comply with any of the above requirements or conditions after being notified in writing in regard to the same by an inspector shall be deemed to be guilty of a contravention of the provisions of this Act.

15. Where two or more persons occupy or use the same room or premises for carrying on any work or business within the meaning of this Act and employ in the aggregate five persons or more, no one of such persons employing so many as five each of the several employers shall be held responsible for providing proper and sufficient water-closets and the other requirements set forth in §14 of this Act which said Sections shall apply to each and every of such employers as if they were partners in all the work or business of the said room or premises.

16. Every inspector may for the purposes of the three next preceding Sections take with him into any factory any legally qualified medical practitioner within the meaning of the Medical Profession Act or any health officer or sanitary inspector appointed pursuant to the Public Health Act.

17. No person shall keep a factory so that the safety of any person employed therein is endangered or so that the health of any person employed therein is likely to be permanently injured.

18. There shall not be a bedroom or sleeping place on the same floor of a building as a shop, bakehouse or factory nor shall there be save with the written consent of an inspector any bedroom or sleeping place in the same building as a shop, bakehouse or factory.

(2) No stable shall be under the same roof as a factory unless there is between the stable and the factory a sufficient brick or other partition wall approved by an inspector separating one from the other.

19. In every factory—

(a) All dangerous parts of mill gearing, machinery, vats, pans, cauldrons, reservoirs, wheel races, flumes, water channels, doors, openings in the floors or walls, bridges and all other like dangerous structures or places shall be so far as practicable securely guarded ;

(b) No machinery other than steam engines shall (if an inspector so directs by written notice) be cleaned while in motion ;

(c) The openings of every hoistway, hatchway and well hole used for power elevators shall be at each floor including the basement provided with and protected by good and sufficient trap doors or self-acting hatches or by gates closing automatically which gates shall be not less than five feet six inches high and may be in sections if desired ; the sides of the shaft on all floors including basement not guarded by gates shall be protected by enclosures at least six feet high approved by an inspector ; where the elevator is enclosed in a tower having walls over six inches thick, it may be provided with an extra operating rope outside the tower ; in every case the elevator shall be provided with a lock to secure the operating rope ; in case of elevators operated by hand power the gates shall be not less than three feet in height and shall be automatic closing gates and the sides not protected by gates shall be protected by enclosures not less than four feet in height approved by an inspector ; a clearly painted sign marked "Dangerous" having letters not less than four inches in height shall be affixed or stencilled on the bottom rail of every gate where it will be plainly visible from the outside ; the top of every elevator platform shall be provided with a guard sufficient to protect the occupants and approved by an inspector ;

(d) All elevator cabs or cars whether used for freight or passengers shall be provided with some suitable mechanical device to be approved by an inspector whereby the cab or car will be securely held in the event of accident to the shipper, rope or hoisting machinery or otherwise howsoever ;

(e) Any other particulars which any inspector from time to time considers dangerous and in regard to which he gives notice to that effect to the employer shall likewise so far as practicable be secured or securely guarded ;



(f) Inflammable material such as coal oil, petroleum, benzine or naphtha and explosives of all kinds shall be kept stored when not in actual use in a building separated from the other parts of the factory or in a fireproof compartment of the factory approved by an inspector.

(2) A factory in which there is a contravention of any of the provisions of this Section or any of the regulations made for the enforcement of this Section shall be deemed to be kept unlawfully within the meaning of §17 of this Act.

20. In every factory—

(a) There shall be such means of extinguishing fire as an inspector acting under the regulations made pursuant to the provisions of this Act in that behalf by the Lieutenant-Governor in Council directs in writing ;

(b) The main inside and outside doors shall open outwardly and any door leading to or being the principal or main entrance to the factory or to any tower stairways or fire escapes therein or belonging thereto shall not be bolted, barred or locked at any time during the ordinary and usual working hours in the factory.

(2) The owner of every factory exceeding two storeys in height and where deemed necessary by the minister the owner of every factory over one storey in height shall within six months from the time of the passing of this Act provide the said factory with one or more systems of fire escapes as follows and shall keep the same in good repair :

(a) A sufficient number of tower stairways with iron doorways within reach of or having easy communication with all the working rooms of the factory ; or

(b) A sufficient number of iron or other uninflamable fire escapes on the outside of the building, such fire escapes to consist of stairways with railing, or, in case the special approval of the Minister is given in writing then, of iron ladders and every such stairway or ladder shall be connected with the interior of the building by iron or tinned doors or windows with iron shutters and shall have suitable landings at every storey including the attic if the attic is occupied as a work-room and the said stairways shall start at a distance of not more than eight feet from the ground or pavement ; or

(c) Any other system or form of fire escape that may be sanctioned under this Act by the Lieutenant-Governor in Council on the recommendation of the Minister.

(3) A factory in which there is a contravention of any of the provisions of this Section shall be deemed to be kept unlawfully within the meaning of §17 of this Act.

21. In case of a fire or accident in any factory occasioning any bodily injury to any person employed therein whereby he is prevented from working for more than six days next after the fire or accident a notice in writing shall be sent to the Minister by the employer forthwith after the expiration of the said six days.

22. In case of an explosion occurring in a factory whether any person is injured thereby or not notice in writing of the fact of such explosion having occurred shall be sent to the Minister by the employer within twenty-four hours next after the explosion occurred.

23. Where in a factory any person is killed from any cause or is injured from any cause in a manner likely to prove fatal notice in writing of the fact shall be sent to the Minister by the employer within twenty-four hours next after the occurrence thereof.

24. Where in a factory the owner or hirer of a machine or implement moved by steam, water or other mechanical power in or about or in connection with which machine or implement children, youths, young girls or women are employed is some person other than the employer as defined by this Act and such children, youths, young girls or women are in the employment and pay of the owner or hirer of such machine or implement, in any such case such owner or hirer shall so far as respects any offence against this Act which may be committed in relation to such children, youths, young girls or women be deemed to be the employer.

25. The provisions of this Act which relate—

(a) To the cleanliness, the freedom from effluvia or the overcrowding or ventilation of a factory ; and

(b) To youths, young girls and women being during any part of the times allowed for meals in a factory employed in the factory or being allowed to remain in any room ; and

(c) To the fixing of any notice or abstract in a factory or specifying any matter in the notice so affixed save and except where such notice is a notice of the name and address of an inspector ; and

(d) To the sending notice of accidents ;

shall not apply where persons are employed at home, that is to say, to a private house, room or place which though used as a dwelling might by reason of the work carried on therein be a factory within the meaning of this Act and in which neither steam, water nor other mechanical power is used and in which the only persons employed are members of the same family dwelling therein.

26. The provisions of this Act which relate —

(a) To youths, young girls and women being during any part of the times allowed for meals in a factory employed in a factory or being allowed to remain in any room ; and

(b) To the affixing of any notice or abstract in a factory or specifying any matter in the notice so affixed, save and except where such notice is a notice of the name and address of an inspector—

shall not apply to a factory which is conducted on the system of not employing youths or young girls therein and the occupier of which has served on the Minister notice of his intention to conduct his factory upon that system.

27. Where an employer has given to the Minister notice in writing of his intention to conduct his factory on the system of not employing youths or young girls therein the factory shall be deemed for all the purposes of this Act to be conducted on the said system until the employer changes it and no changes shall be made until the employer has given to the Minister notice in writing of his intention to change the system ; and until the change a youth or young girl employed in a factory shall be deemed to be employed contrary to the provisions of this Act ; a change in the said system shall not be made oftener than once in every three months unless for special cause allowed in writing by the Minister.

28. Nothing in this Act shall extend to any person being a mechanic, artisan or labourer working only in repairing either the machinery in or any part of a factory.

29. The Lieutenant-Governor in Council may appoint one or more inspectors, male or female, and fix their salaries or compensation and appoint their duties.

30. Every inspector shall for the purposes of this Act and of enforcing any regulations made under the authority thereof have power to do all or any of the following things, namely :—

(a) To enter, inspect and examine at all reasonable times by day or night any factory and any part thereof when he has reasonable cause to believe that any person is employed therein and to enter by day any place which he has reasonable cause to believe to be a factory ;

(b) To require the production of any register, certificate, notice or document required by this Act to be kept and to inspect, examine and copy the same ;

(c) To take with him in either case a constable into a factory in which he has reasonable cause to apprehend any serious obstruction in the execution of his duty ;

(d) To make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act are complied with so far as respects the factory and the persons employed therein ;

(e) To examine, either alone or in the presence of any other person, as he thinks fit, with respect to matters under this Act every person whom he finds in a factory or whom he has reasonable cause to believe to be or to have been within the two next preceding months employed in a factory and to require such person to be so examined and to sign a declaration of the truth of the matters respecting which he is so examined ;

(f) For the purposes of any investigation, inquiry or examination made by him under the authority of this Act to administer an oath to and to summon any person to give evidence ;

(g) To exercise such other powers as may be necessary for carrying this Act into effect.

(2) The employer, his agents and servants shall furnish the means required by an inspector as necessary for an entry, inspection, examination, inquiry or the exercise of his powers under this Act in relation to such factory.

(3) Every person who wilfully delays an inspector in the exercise of any power under this Section or who fails to comply with a requisition or summons of an inspector in pursuance of this Section or to produce any certificate or document which he is required by or in pursuance of this Section or to produce any certificate or document which he is required by or in pursuance of this Act to produce or who conceals or prevents from appearing before or being examined by an inspector a child, youth, young girl or woman or attempts so to conceal or prevent a child, youth, young girl or woman shall be deemed to obstruct an inspector in the execution of his duties under this Act.

31. An inspector before entering in pursuance of the powers conferred by this Act without the consent of the occupier any room or place actually used as a dwelling as well as for a factory shall on an affidavit or statutory

declaration of the facts and reasons obtain written authority to do so from the Minister or such warrant as is hereinafter mentioned from a justice of the peace or police magistrate.

(2) The affidavit or statutory declaration above mentioned may be inspected or produced in evidence in all respects the same as an information on oath before a justice.

(3) A justice of the peace or police magistrate if satisfied by an information on oath that there is reasonable cause to suppose that any provision of this Act is contravened in any such room or place as aforesaid may in his discretion grant a warrant under his hand authorising the inspector named therein at any time within the period named therein but not exceeding one month from the date thereof to enter in pursuance of this Act the room or place named in the warrant, and exercise therein the powers of inspection and examination conferred by this Act and the provisions of this Act with respect to obstruction of the inspector shall apply accordingly.

32. Every inspector shall be furnished with a formal certificate of his appointment and on applying for admission to a factory shall if required produce to the employer the said certificate.

33. Every person shall within one month after he begins to occupy a factory and in the case of factories existing on the date of the coming into force of this Act within one month after the said date send to the Minister a written notice containing the name of the factory, the place where it is situated, the address to which he desires his letters to be addressed, the nature of the work, the nature and amount of the moving power therein and the name of the firm under which the business of the factory is to be carried on.

(2) In every factory the employer shall keep in the form and with the particulars prescribed by any regulation made by the Lieutenant-Governor in Council in that behalf a register of the youths, young girls and women employed in that factory and of their employment and of other matters under this Act and shall send to the inspector named in the notice referred to in §35 of this Act such extracts from any register kept in pursuance of this Act as the inspector from time to time requires for the execution of his duties under this Act.

34. Every employer shall cause to be affixed at the entrance of a factory and in such other parts thereof as an inspector directs and to be constantly kept so affixed in the form directed by the inspector and in such position as to be easily read by the persons in the factory :

(1) Such notices of the provisions of this Act and of any regulations made thereunder as the Minister deems necessary to enable the persons employed in the factory to become acquainted with their rights, liabilities and duties under this Act ;

(2) A notice of the name and address of an inspector ;

(3) A notice of the clock, if any, by which the period of employment and times for meals in the factory are regulated ;

(4) Every other notice and document, if any, required by this Act to be affixed in the factory.

35. A notice of the name and address of an inspector shall in compliance with such directions as an inspector may give under the provisions of §34 of this Act be affixed in every factory.

36. Any notice, order, requisition, summons and document required or authorised to be served or sent for the purposes of this Act may be served or sent by delivering the same to or at the residence of the person on or to whom it is to be served or sent or where that person is an employer within the meaning of this Act by delivering the same or a true copy thereof to his agent or to some person in the factory of which he is employer ; it may also be served or sent by post by a prepaid registered letter and if served or sent by post shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post and in proving such service or sending it shall be sufficient to prove that it was properly addressed and put into the post ; and where it is required to be served on or sent to an employer it shall be deemed to be properly addressed if addressed to him at the factory in respect of which he is an employer with the addition of the proper postal address but without naming the person who is the employer.

#### *Offences and Penalties.*

37. Every person who acts in contravention of §3 or §7 of this Act shall be liable to a penalty not exceeding \$100 and in default of payment forthwith to imprisonment for a period not exceeding six months or to imprisonment for a period not exceeding six months without the option of a fine.

38. Every person who acts in contravention of §17 or §27 of this Act shall be liable to a penalty not exceeding \$500 and in default of payment forthwith to imprisonment not exceeding twelve months or to imprisonment for a period not exceeding twelve months without the option of a fine.

39. Every person who refuses, neglects or omits to comply with any of the provisions of §§21, 22, 23, 33 or 34 of this Act shall be liable to a penalty of \$30.

40. The owner or proprietor of any factory who refuses, neglects or omits to provide the means of safe exit in case of fire prescribed by §20 of this Act shall be liable to a penalty not exceeding \$500 and in default of payment forthwith to imprisonment for a period not exceeding twelve months or to imprisonment for a period not exceeding twelve months without the option of a fine.

41. Where an inspector is obstructed in the execution of his duties under this Act the person so obstructing him shall be liable to a penalty not exceeding \$30 ; and where an inspector is so obstructed in a factory the employer shall where the offence is committed during the day be liable to a penalty not exceeding \$30 or where the offence is committed at night to a penalty not exceeding \$100.

42. Every person who wilfully makes a false entry in any register, notice, certificate or document required by this Act to be left or served or sent or who wilfully makes or signs a false declaration under this Act or who knowingly makes use of any such false entry or declaration shall be liable to a penalty not exceeding \$100 and in default of payment forthwith to imprisonment for a period not exceeding six months or to imprisonment for a period not exceeding six months without the option of a fine.

43. The parent of any child, youth or young girl employed in a factory in contravention of this Act shall unless such employment is without the consent, connivance or wilful default of such parent be guilty of a contravention of this Act and shall be liable to a penalty not exceeding \$50 and in default of payment forthwith to imprisonment for a period not exceeding three months.

44. If any of the provisions of this Act or of any of the regulations, rules or orders made by virtue thereof by the Lieutenant-Governor in Council are contravened and no other penalty is herein provided for such contravention the person guilty of such contravention shall be liable to a penalty not exceeding \$50 in default of payment forthwith to imprisonment not exceeding three months.

45. If a factory is not kept in conformity with this Act the court of summary jurisdiction in addition to or instead of inflicting a fine, penalty or other punishment upon the employer may order certain means to be adopted by the employer within the time named in the order for the purpose of bringing his factory into conformity with this Act ; the court may also upon application enlarge the time so named but if after the expiration of the time as originally named or enlarged by subsequent order the order is not complied with the employer shall be liable to a penalty not exceeding \$10 for every day that such non-compliance continues.

46. Where the employer is charged with an offence against this Act he shall be entitled upon information duly laid by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge ; and if after the commission of the offence has been proved to the satisfaction of the court the employer proves that he has used due diligence to enforce compliance with the provisions of this Act and that the said other person has committed the offence in question without the knowledge and consent or connivance of him the employer the said other person shall be summarily convicted of such offence and the employer shall be exempt from any fine, penalty or imprisonment.

47. Where it is made to appear to the satisfaction of an inspector at the time of discovering the offence that the employer has used all due diligence to enforce compliance with the provisions of this Act and also by what person such offence was committed and also that it was committed without the knowledge, consent or connivance of the employer and in contravention of his orders then the inspector shall proceed against the person whom he believes to be the actual offender in the first instance without first proceeding against the employer.

48. Where an offence for which an employer is liable under this Act to a fine has in fact been committed by some agent, servant, workman or other person such agent, servant, workman or other person shall be liable to the same fine, penalty or punishment for such offence as if he were the employer.

49. A person shall not be liable in respect of a repetition of the same kind of offence from day to day to any larger fine, penalty or punishment than the highest fine, penalty or punishment fixed by this Act for the offence except—

(1) Where the repetition of the offence occurs after an information has been laid for the previous offence ; or

(2) Where the offence is one of employing a child, youth, young girl or woman contrary to the provisions of this Act.

#### *Prosecutions.*

50. All prosecutions under this Act shall be heard summarily before any two justices of the peace or a police magistrate.

51. The following provisions shall have effect with respect to prosecutions under this Act :—

(1) The information shall be laid within two months or where the offence is punishable at discretion by imprisonment within three months after the offence has come to the knowledge of the inspector ;

(2) It shall be sufficient to allege that a factory is a factory within the meaning of this Act, without more ;

(3) It shall be sufficient to state the name of the ostensible employer or the title of the firm by which the employing person in the factory is usually known.

52. No conviction, judgment or order made in respect of any offence against this Act shall be removed by *certiorari* or otherwise into the supreme court.

53. Where an inspector is called as a witness he shall be entitled acting by the direction and on behalf of the Attorney-General to object to giving evidence as to any factory inspected by him in the course of his official duty.

#### *General.*

54. Such annual or other report of the Minister as the Lieutenant-Governor directs shall be laid before the Legislative Assembly within twenty-one days after the commencement of the Session thereof.

55. Unless and until otherwise ordered or directed by any regulation in that behalf made by the Lieutenant-Governor in Council—

(a) The register mentioned in and required by §33 of this Act shall so far as the same relates to youths and young girls be according to form A in Schedule B and so far as the same relates to women be according to Form B in the said Schedule ;

(b) The register mentioned in and required by §10 of this Act shall be according to Form C in the said Schedule ;

(c) On the first page of any register kept by an employer pursuant to this Act or to any rule, order or regulation made in that behalf by the Lieutenant-Governor in Council shall be printed the Form D in the said Schedule or one to the like effect ; and the same shall be properly filled up and signed by an inspector and the employer when such register is commenced to be kept ;

(d) Notice of the hours between which youths, young girls or women are to be employed in any factory as required by §11 of this Act shall be according to Form E in the said Schedule ;

(e) Notice to the Minister under §§21 to 23 of this Act may be in the Form F of the said Schedule ;

(f) Notice to the Minister under §26 or §27 of this Act may be according to such of the forms G and H of the said Schedule as the case requires ; and

(g) Notice to the Minister under §33 of this Act may be in the Form I. of the said Schedule.

56. The Lieutenant-Governor in Council may from time to time whenever it is necessary so to do vary any of the forms in the Schedule to this Act, or may cause to be adopted any other form which he considers applicable to any class of cases for which a form has not been provided in the Schedule to this Act.

57. The Lieutenant-Governor in Council may from time to time make such regulations not inconsistent with this Act as are necessary for giving effect to its provisions.

58. The Lieutenant-Governor in Council shall by proclamation published in the *Saskatchewan Gazette* declare the day on, from and after which this Act shall become and be in force and the said Act shall on and after such day so declared become and be in force.

#### SCHEDULE A (§2).

Abattoirs; Agricultural implement factories; Bakehouses and bake-shops; Baking powder and yeast factories; Barrel factories; Bicycle factories; Biscuit factories; Blanket factories; Boiler factories; Bookbinding factories; Boot and shoe factories; Box factories; Brass foundries; Breweries; Brick factories; Broom factories; Brush factories; Canning factories; Car shops; Carpet factories; Carriage factories; Carriage goods (iron) factories; Carriage woodwork factories; Cartridge factories; Cement factories; Chemical works; Cigar factories; Clock factories; Clothing factories; Coffin factories; Concentrated egg factories; Confectionery factories; Coopers' workshops; Cider factories; Distilleries; Domestic utensils factories; Dressmaking establishments; Dress shield factories; Dye works; Edge tool factories; Electric machinery factories; Electrotype foundries; Elevators (grain); Envelope factories; Extracts and essential oil factories; Felt factories; Flax mills; Foundries; Fruit desiccating factories; Furniture factories; Furriers' workshops; Galvanised and pressed ironwork factories; Gun and small arm factories; Hair-cloth factories; Hames factories; Harness and leather factories; Hosiery factories; Iron bridge works; Jams, jellies and pickle works; Jewellery factories; Knitting factories; Knitting machine factories; Laundries; Laundry, blueing and washing crystal factories; Lithographers' workshops; Locomotive works; Machine shops; Marble works; Matting factories; Mattress factories; Meat-packing establishments; Metallic factories; Millinery shops; oil refineries; Ornamental moulding factories; Paint works; Paper-bag factories; Paper-box factories; Paper and pulp mills; Paraffin factories; Patent fertiliser factories; Patent medicine factories; Picture frame works; Planing mills; Plated metal works; Potteries; Printing and publishing establishments; Pulp factories; Rag-sorting workshops; Rolling mills; Rope works; Saddlery hardware factories; Safe works; Salt drying works; Sash and door factories; Sawmills; Sewer pipe factories; Sewing machine factories; Shirt factories; Showcase factories; Skate works; Soap works; Soda water factories; Stained glass factories; Starch factories; Steel wire factories; Straw works; Sugar refineries; Syrup factories; Tailor shops; Tanneries; Tin box factories; Tobacco factories; Trunk factories; Tub and pail factories; Type foundries; Vinegar works; Wagon and sleigh factories; Window shade factories; Woollen factories.

#### SCHEDULE B (§55).

Form A (§§33 and 55).—Form B (§§33 and 55).—Form C (§§10 and 35).—Form D (§55).—Form E (§§11 and 35).—Form F (§§21, 22, 23 and 55).—Form G (§§26 and 55).—Form H (§§27 and 55).—Form I (§§33 and 55).

### III. Greece

#### 1. Act No. 3544 amending Act No. 3455 of 7–20th December, 1909\*, respecting Sunday and holiday rest. (Dated 22nd January–4th February, 1910.)

1. Butchers', fruiterers' and greengrocers' shops shall remain closed during the whole of Sunday and the remaining days referred to in §2 of the Act No. 3455. Butchers' shops, however, may be open during the winter from 2 o'clock in the afternoon, and during the summer from 4 o'clock in the afternoon, for the purpose of preparing the goods for Monday.

2. §3 of the Act No. 3455 is supplemented by the following:—

"Sunday rest for newsvendors shall commence at 4 p.m. on Sundays and other holidays, and shall terminate at 4 p.m. on Monday."

\* Text E.B. V., p. 283.



3. Industrial concerns, tailors' workshops, milliners' businesses, etc., in which female workers are employed, shall remain closed during the whole of the Sunday.

The employment in the said workshops of female workers after 8 p.m. on other days of the week is prohibited.

**2. Act supplementing and amending Act No. 3455 of 7th/20th December, 1909\*, and Act No. 3544 of 22nd January/4th February, 1910,† respecting Sunday and holiday rest. (Dated 11th–24th March, 1910.)**

1. The businesses of bakers and bread-vendors [and bakehouses shall remain closed on Sundays from 9 a.m. to 5 p.m. in winter, and from 9 a.m. to 6 p.m. in summer. During one hour, however, between 12 noon and 1 p.m. it shall be permissible to have the leaven for bread required exclusively for Monday prepared by a single worker.

The ovens proper may be working on Sundays from 9 a.m. to 1 p.m., but the selling and exhibiting for sale of bread or other bakery goods is prohibited.

At the Piraeus and in the other sea towns it shall be permissible to keep open bakers' shops and the bakehouses from 9 a.m. until evening and to convey the bread to and from the ships which arrive or depart from the port; the employment of a worker in any kind of work whatsoever is prohibited, with the exceptions mentioned hereafter.

Contraventions of this Act shall be punished in accordance with the stipulations of §19 of Act No. 3455.

The workers in bakeries and at baking ovens are subject to the Act respecting Sunday and holiday rest from 10 o'clock on Saturday evening to 5 o'clock on Sunday afternoon during the winter and to 6 o'clock during the summer.

2. Wine shops, grocery shops, cook-shops, and businesses dealing in spirits, may be open on Sundays from 9 a.m. to 2 p.m., and from 6 p.m. to 10 p.m. in winter, and from 7 p.m. to 11 p.m. in summer. An employer who employs a waiter or an employee during other hours shall be subject to the penalties provided in §19 of Act No. 3455.

Businesses of this kind situated in the neighbourhood of the vegetable market may be open during the whole night from Sunday to Monday.

Greengrocers' and fruiterers' shops may be open on Sundays from 9 a.m. to 1 p.m. At the Piraeus and in the other coast towns it shall be permissible to convey vegetables and fruit at any time to ships coming in or sailing from the Port, and also to convey such goods from in-coming ships to greengrocers' and fruiterers' shops.

Tobacco shops may be open on Sundays from 9 a.m. to 1 p.m. and from 6 p.m. in winter and 7 p.m. in summer until midnight.

Hairdressers' shops shall remain closed on Christmas Day and on Easter Sunday. On other Sundays they may be open from 9 a.m. to 1 p.m.

Hairdressers selling perfumery, soap and other goods in their shops are prohibited, under the penalties provided in §19 of Act No. 3455, from effecting sales during the period of rest granted to the hairdressers by the preceding paragraph.

Confectioners' and milk shops may be open on Sundays from 9 a.m. to 1 p.m. and from 6 p.m. to midnight.

\* Text E.B. V., p. 283.

† Text E.B. VI., p. 277, No. 1.

In the provinces, butchers' shops may be open on Sunday mornings until 10 a.m. in winter and 9 a.m. in summer.

3. Wine shops, grocery shops, cook shops, restaurants, and beer-houses in the suburbs and excursion places may be open on Sundays between the 1st/14th November and 31st March/13th April from 9 a.m. to 11 p.m., and between 1st/14th April and 31st October/13th November from 9 a.m. to 2 o'clock in the morning.

4. [Enumeration of the places considered as "excursion places" for Athens and the Piraeus.]

In addition to the places enumerated above, all those places which the Prefect, after having obtained the opinion of the Police Administration, may designate, shall be considered as excursion places. As quay or jetty coffee-houses, at the Piraeus and elsewhere, shall be considered, not only those which face the quay, but also those which are situated the cross-streets leading towards the Port, between the quay and the first street running parallel with it.

In the provinces, the excursion places shall be designated by decision of the Communal Council.

5. Sunday rest is suspended for the newsvendors in the provinces. The newsvendors of Athens and the Piraeus are permitted to sell, commencing on Monday morning, lottery tickets, purely literary journals which appear periodically, and provincial or foreign newspapers; the selling, however, between noon on Sunday and 4 a.m. on Monday, of daily papers of Athens or daily papers of the Piraeus and neighbourhood, or the supplements of any kind of such newspapers, is prohibited.

6. Factories situated in the chief towns of the departments or provinces, driven by steam, water or any other motor power, are not subject to the Sunday and Holiday Rest Act, should there exist in the neighbourhood other similar industrial undertakings which are also not subject to the Act, even if they are situated within another Commune.

7. In the various urban police districts, half the total number of apothecaries' and druggists' shops may be open during the whole of Sunday. The order of rotation shall be settled for the whole year by the Director of Police.

8. The Communal Councils who have exercised the right granted to them in accordance with §20 of Act No. 3455, may, by their decision, exempt certain villages or towns under their jurisdiction, wholly or partly, from the application of this Act.

9. In the large and small towns and villages of the Department of Atoloakarnania, all businesses may be open on Sundays from 9 a.m. to 2 p.m. and from 6 p.m. to 10 p.m.

10. The provisions of the Sunday and Holiday Rest Act shall not apply to the town of Laïssa during the period between 20th May/2nd June and 20th July/2nd August in every year.

11. This Act shall come into force on the day of its publication in the *Government Gazette*.

**3. Act No. 3932 on the establishment of a Department of Labour and Social Questions at the Ministry of National Economy. (Dated 12th–25th November, 1911.)**

1. The Labour Office attached to the Department of Commerce and Industry at the Ministry of National Economy is transformed into a special Department\* under the designation of "Department of Labour and Social Questions." The functions of this Department shall be the following :—

(a) To investigate and study the conditions of labour in industry, trade and commerce and other undertakings.

(b) To take any preventive measures which may be necessary, and to act as intermediary in disputes between workers and employers arising out of the contract of employment.

(c) To carry out comparative investigations with respect to the conditions of labour existing in Greece and in other States.

(d) To collect information on foreign labour legislation and to prepare drafts of laws for improving the hygienic and economic conditions of workers in Greece.

(e) To watch over the administration of the labour legislation and to draw up the Royal administrative orders and special administrative rules.

(f) To supervise the work of the Workmen's Benevolent Societies, based on mutuality, and their Unions, and of Trade Unions, Workmen's Insurance Societies and Guilds, and to control their management and administration.

(g) Generally, to organise, support and supervise the Insurance and Pension Funds for workers and employees, based on mutuality, as well as Social Provident Institutions.

2. The staff of the Department shall consist of a Departmental Chief of the first or second class, a Ministerial Secretary of the first or second class, and two clerks of the first or second class.

[Regulations during the transitory period.]

3. In order to assist the Department of Labour and Social Questions, a "Superior Labour Council" shall be created, consisting of the following members :—

(a) Three deputies elected by the Chamber for every legislative period.

(b) The legal adviser and the departmental chiefs for commerce and industry, labour and social questions, and statistics, in the Ministry of National Economy.

(c) The departmental chief for railway matters in the Ministry of the Interior, the Director of the Railway Department, a delegate of the Unions of commercial employees in the whole of the Kingdom, and the mining inspector.

(d) University professors, or failing them one private lecturer, in each of the following branches : political economy, statistics and financial science, upon the proposal of the competent faculty.

(e) Seven representatives of industrial employers, namely, two representatives of the Athens Union of Greek Industrial Employers, one representative of the Chamber of Commerce and Industry of Piraeus, and one representative each of the organisations of industrial employers of Syra,

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\* The Greek Acts for the Protection of Labour, of the year 1911–12 have been published in a pamphlet by S. L. Theodoropoulos.

Volos, Patră, and Corfu. Double the number of representatives required shall be proposed by the respective organisations and from among their number the Minister of National Economy shall appoint the members. The said organisations must submit their proposals within one month from the date on which they have been requested to do so by the Minister. Should this period pass without advantage having been taken of the same, or should such organisations not exist, the Minister shall appoint the representatives.

(f) Seven representatives of workers, namely, two representatives of the Union of Workmen's Organisations of Athens and one representative each of the workmen's organisations of Piræus, Syra, Volos, Patră, and Corfu. Double the number of representatives required shall be proposed by the respective organisations and from among their number, the Minister of National Economy shall appoint members. The said organisations must submit their proposals within one month from the date on which they have been requested to do so by the Minister. Should this period elapse without advantage having been taken of it, or should such organisations not exist, the Minister shall appoint the representatives.

(g) Two persons specially versed in social-economic and labour questions, who shall be appointed by the Minister.

The term of office of the members mentioned in paragraphs (d), (e), (f) and (g) shall be three years, but they may be re-elected.

4. The Superior Labour Council shall be presided over by the Minister of National Economy or upon instructions of the latter, by the legal adviser of the Ministry of National Economy. The duties of the Superior Labour Council shall be as follows :—

(a) To study all questions concerning the relations between workers and employers ;

(b) To make proposals for measures to be initiated for improving the conditions of labour and living ;

(c) To give its opinion on draft bills affecting labour ; and

(d) To study any question which may be submitted to it by the Minister.

5. The Superior Labour Council shall meet twice every year, namely, in May and November, in ordinary sessions, each of which must continue during at least three and not more than ten days. It shall assemble, moreover, in extraordinary meetings, if convened by the Minister.

6. The Superior Labour Council shall elect every year during the November session a committee, consisting of seven of its members, which shall meet with the assistance of the Chief of the Department of Labour and Social Questions, who shall present a report, and the task of which shall be the compilation of the material required for the work of the Superior Labour Council. One member of the said committee shall be elected from amongst the representatives of the industrial employers, and a second member from amongst the representatives of the workers.

7. The Department of Labour and Social Questions shall issue a " Labour Bulletin," in which there shall be published information on the work of the Department of Labour and Social Questions, and similar subject-matter.

8. The local authorities, as well as the trade associations, shall be bound to furnish to the Department of Labour and Social Questions all information required by the same. Communications may be sent through the intermediary of any Government authority. Associations refusing to give such

information, or intentionally misrepresenting true facts, shall be punished by the competent police court upon prosecution by the Minister of National Economy, with a fine of from 5-50 drachmas.

9. The administration of this Act and all matters concerning the work of the Superior Labour Council and of the Committee to be appointed by the latter, shall be regulated by Royal Decrees.

**4. Act No. 3934 respecting hygienic conditions and the safety of workers, and respecting working hours. (Dated 19th November/2nd December, 1911.)**

1. Manufacturers, tradesmen, merchants, shopkeepers, and contractors or employers of any kind, as well as the directors and managers of companies, shall be bound to arrange and maintain their factories, workshops and industries, and the machinery, apparatus and tools existing in the same, in such a manner that the workers are protected from risk to life, health and limb, in so far as the nature of the undertaking will allow. In particular, they shall make the following provisions:—

(a) That such cleanliness as is required by hygiene is maintained in workplaces;

(b) That, with the exception of such work as from its nature requires artificial lighting, sufficient natural light is available during the day, and sufficient artificial light during the night, and that the necessary measures are taken for protecting the staff from dangers arising from lighting;

(c) That each work-room, in accordance with the requirements of hygiene, is proportionate in size to the number of workers, and that provision is made for regular ventilation;

(d) That there is no damp on the floor and walls of the work-room;

(e) That machines of all kinds, wheels, fly-wheels, and belting, transmitting motive power, are arranged and worked in the best possible manner, so that the workers may be protected from dangers to life and limb;

(f) That in regard to building work and undertakings, the scaffoldings are erected in such a manner that the workers may be protected from every danger;

(g) That in regard to work in the open generally, every possible provision is made that the workers may be protected from any danger whatsoever, and during the summer from the effect of the rays of the sun.

2. By special Royal Decrees issued upon the proposal of the Superior Labour Council, the working hours and periods of rest shall be periodically regulated for every industrial undertaking according to its particular nature.

3. Every infringement on the part of any employer, director, manager, authorised representative, or owner of an undertaking, of the stipulations of this Act and of the Royal Decrees, and special regulations issued for carrying the same into effect, shall be punished by the local police court by a fine of from 10-50 drachmas, unless any other circumstances are present for which provision is made in the Penal Code and which entail a heavier penalty. The said fine shall be multiplied by the number of individual infringements or of the workers endangered or injured by such transgressions. The total amount of fine imposed by a single judgment shall not exceed 500 drachmas.

Works managers and proprietors of undertakings shall be liable for fines imposed upon their authorised agents.

4. Any person who, after having been already once punished by a fine in accordance with the above Section, fails to comply, after having been ordered to pay such fine, with the stipulations of this Act, shall be punished by the local police penal code by a fine of from 50-500 drachmas for every single infringement. The total amount of the said fine shall not exceed 2,000 drachmas.

5. The police authorities, communal, and sanitary officers, as well as any special authorities appointed by special Act, shall be entrusted with the supervision of the carrying out of this Act. Prosecutions shall be instituted for every infringement upon information by a single person or by a workmen's union, and also officially.

6. The fines imposed in accordance with the stipulations of this Act shall be deposited with the National Bank of Greece, under an account bearing interest entitled "Workmen's Provident Fund." A special Act shall be passed to regulate the use of these moneys.

7. The details in connection with the carrying out of this Act shall be regulated by Royal Decrees and special regulations to be drawn up by the Superior Labour Council, after consultation with the Sanitary Council, and sanctioned by the Minister of National Economy.

8. This Act shall come into force on 1st-14th December, 1912.

**5. Act No. 3974 concerning decisions on disputes arising between workers and employers with respect to the payment of earnings and wages. (Dated 31st December, 1911/13th January, 1912.)**

**6. Act No. 4028 concerning the regulation of the service of railway and tramway employees. (Dated 24th January/6th February, 1912.)**

1. The owners of or companies controlling railways and tramways operating within the State shall be bound, within six months from the date of the publication of this Act, to submit to the Minister of the Interior for approval, regulations concerning the qualification of their employees of every description and concerning the organisation of the service.

The said regulations, after having been elaborated by the Railway and Tramway Council, instituted in accordance with Act No. 3542 of 20th January /2nd February, 1910, and after consultation with the employees, in so far as the same are affected by the regulations, shall be delivered to the companies or owners.

Should the owners or companies not agree with any alterations or additions which may be made by the said Council, they shall appeal, within one month from the date on which the regulations are delivered to them, to the Minister of the Interior, who, in the event of his not coming to an agreement with the companies with respect to alterations which may be necessary, shall submit the regulations to the Council of Ministers; the latter shall then decide on the matter in last instance, after having obtained the opinion of a Commission, consisting of the Attorney-General in Athens, the Departmental Chief or Director of the Railway Department, the Departmental Chief of the Department of Labour and Social Questions at the Ministry of National Economy, and finally a director of one of the railway companies, to be selected by the said companies.

The regulations thus approved shall be published in the *Government Gazette*, and may be modified from time to time upon the application of the companies or owners, or upon request of the Minister of the Interior (who, in such event, shall fix a period of transition of at least one month), in accordance with the above stipulations.

2. Non-compliance with the stipulations of paragraphs 1 and 4 of the preceding Section on the part of the companies or owners of the railways and tramways operating within the State shall be punished by a penalty of from 100-3,000 drachmas. In the event of a repetition of the offence (and as such shall be considered a failure to submit the regulations within one month after having been requested to do so by the Minister of the Interior), the same penalty shall be imposed.

3. Within six months after the publication of this Act, the maximum working hours, as well as the minimum periods of rest, for each class of the railway and tramway staff whose service affects the public safety, shall be fixed by a special Royal Decree, issued upon proposal of the Minister of the Interior, after consultation with the Railway Council appointed in accordance with Act No. 3542 of 20th January/2nd February, 1910, whose opinion shall be given after hearing the employees as well as the owners or companies concerned.

4. The employment of a workman or employee, on the part of a company or owner, beyond the working hours to be fixed in accordance with the preceding Section, shall be punished with a penalty of from 15-20 drachmas for every workman or employee so employed, or, in the case of simultaneous employment of several workmen or employees, with a total maximum penalty of 1,000 drachmas. From this rule there shall be excluded cases of *force majeure* or of extreme necessity, particulars of which must be entered in the register kept by the companies in the manner to be stipulated by Royal Decree, and which the Railway Department may inspect at any time.

All infringements of this Act shall be recorded in the minutes of the officials of the Railway Department (established in accordance with Act No. 3542 of 20th January/2nd February, 1910), who shall exercise, in this case, the functions of the police.

5. The companies themselves shall be liable, according to the civil law, for the payment of the penalties imposed upon the owners or the representatives of the companies, in accordance with the preceding Section.

These penalties shall be set off exclusively against the share of the owners or companies, but not included in the expenses which are to be taken into consideration in the statements of the account kept by the State; they do not exclude the imposition of administrative penalties in so far as a corresponding right is granted to the administration by legally approved agreements made with the companies or owners.

The said penalties shall go to increase the Benevolent and Pension Funds of the undertaking, if such exist; otherwise they shall be deposited with the National Bank of Greece as an account bearing interest under the designation "Workmen's Provident Fund." The manner in which the said moneys shall be applied shall be determined by a special Act.

6. The particulars with respect to the carrying out of this Act shall be regulated by Royal Decree.

**7. Act No. 4029 concerning the work of women and minors. (Dated 24th January/6th February, 1912.)**

1. Children under 12 years of age shall not be employed as workers or apprentices—

- (a) in factories and industrial concerns and workshops ;
- (b) in quarries, mines and underground works of any kind ;
- (c) in building work and other similar open-air work ;
- (d) in undertakings for the conveyance of passengers and goods on land or on water ;
- (e) in commercial concerns and selling places of any kind ;
- (f) in restaurants, cafés, wine shops, confectioners' shops, and any other similar concerns ;
- (g) in hotels.

This prohibition shall not apply in the case of the employment of children above the age of 10, by their own parents or guardians, on work in which only members of the family, under the direction of the father, mother or guardian, are engaged, always provided that the work cannot be designated as dangerous or injurious, in conformity with §17, or that it is not effected by motor power. The employment of such children shall, in no case, hinder regular attendance at the elementary school nor extend for a period exceeding three hours per day.

In orphanages and philanthropic institutions in which industrial instruction is given in addition to the elementary instruction, the persons mentioned in paragraph 1 of this Section must not be employed for more than three hours each day with industrial instruction or craftsmen's work.

After the expiration of a period of five years from the date on which this Act comes into force, the prohibition set up in paragraph 1 of this Section shall apply also to children aged from 12 to 14 years who have not yet completed their elementary course of instruction.

2. In the case of the undertakings and classes of work referred to in §1 (a)–(c) the daily working hours must not exceed six for children under the age of 14, and 10 for young persons below the age of 18 and women, with the exception of Saturdays and the eves of the holidays fixed by §2 of the Act No. 3455, on which the working hours must not exceed 8.

The working hours shall be reckoned from the time of entering the workshop or place of working to the time of leaving the same, deducting the intervals of rest within the meaning of the following Section.

3. Within the working hours regulated by §2, one or more intervals of rest must be granted every day, to the male and female workers referred to in the said Section. These intervals shall amount to at least half-an-hour for children and two hours for young persons and women on all working days, with the exception of Saturday, on which day the interval of rest may be reduced to one hour.

The intervals of rest shall be granted simultaneously to all the persons above referred to, employed at each factory or at each kind of work, with the exception of the persons employed in mines, quarries, underground workings and factories, which are worked with continuous furnaces.

The above stipulations concerning intervals of rest may be altered, with respect to certain classes of undertakings, by Royal Decree, which shall be issued upon proposal of the Minister of National Economy, after consultation with the Superior Labour Council, should the nature of the work or the interest of the workers make this necessary.



In no case, however, shall the persons referred to in this Section be employed continuously during more than six hours without an interval of at least one hour.

4. The employer shall be prohibited from giving work to any of the persons referred to in §2, to be done outside the factory or place of working for him or on account of a third party, after the working hours admissible according to the Act have expired. Should such working hours not have expired, it shall be permitted to give out so much work to be done outside the factory or the place of working as an average worker of the same class is able to do during the remaining admissible working hours.

5. Persons below the age of 16 and women must not be employed in the undertakings and kinds of work referred to in §1, (a) to (c) and (e) to (g), on Sundays and on the holidays fixed by §2 of Act No. 3455, with the exception of the Sundays and cases fixed by §5, Sub-sections 4, 15 and 17 of the said Act.

By resolution of the competent communal council, it may be permissible to fix for certain undertakings or kinds of work, another week-day, instead of Sunday, as the day of rest for the above-mentioned persons, if technical considerations, local trading conditions, or social interest should so require, provided that it shall not become possible by such alteration, in places which are subject to Sunday Rest Acts, for work to be carried out which is not permitted on Sundays under the said Acts.

6. Persons below the age of 18 and women must not be employed in the undertakings and kinds of work referred to in §1, (a) to (c) and (e), between the hours of 9 p.m. and 5 a.m.

The uninterrupted interval for night rest granted to the aforesaid persons shall be at least 11 hours.

These restrictions shall hold good also for the employment of children below the age of 14 in the factories and kinds of work referred to in §1, (f) to (g), in which it is permitted to employ the said children up to 10 p.m.

7. In the case of unforeseen and not regularly recurring interruptions of work in consequence of accidents, exceptions from the usual stipulations of §§2, 3 and 6 on the maximum duration of work, intervals of rest and night-work, respectively, may be permitted during a period of eight days by the competent police authority and during four weeks by the competent prefect, in so far as persons above the age of 16 are concerned.

8. In the case of undertakings or classes of work in which an increased demand for labour occurs regularly at certain periods of the year (seasonal trades) or in the case of extraordinary accumulation of work, an extension of the maximum daily working hours of young persons and women up to 12 hours for all working days, with the exception of the Saturday, and a shortening of the uninterrupted night rest to 10 hours, may be permitted, and the commencement of the night rest may be fixed at 10 p.m. for a term of eight days within one and the same year, by the competent police authority and for a term of four weeks by the prefect.

9. Exemptions may be granted from the application of the stipulations of §6 (a) to certain branches of manufacture in which night-work is necessary, in order to avoid deterioration of raw materials or of the products of work, as far as the employment of female workers above the age of 18 is concerned, by Royal Decree issued upon proposal of the Minister of National Economy, after having obtained the opinion of the Superior Labour Council.

10. Children below the age of 14 shall not be permitted to offer for sale articles of any kind in streets, squares, or public places generally, or from house to house if not previously ordered.

Between the hours of 9 p.m. and 5 a.m. young persons under the age of 16 shall not be permitted to offer for sale articles of any kind in the places referred to in the preceding paragraph of this Section, or to do any work whatsoever.

The above provision shall not apply to male newsvendors above the age of 12.

11. Children below the age of 14 shall not be employed in theatrical and similar public performances.

The competent police authority may grant an exception to this prohibition in the case of performances the object of which is to promote higher art.

12. The employment of persons under the age of 15 and of women in underground work in mines, quarries, and underground workings generally, shall be prohibited.

13. In the undertakings and kinds of work referred to in §1 it shall not be permissible to employ women workers for a period of eight weeks before confinement, and before the expiration of four weeks after confinement. During such period women shall be considered as being on leave, and it shall not be permissible to replace the same definitely.

14. Persons below the age of 16 shall not be employed in the industries and kinds of work referred to in §1, (a) to (d), unless they are provided with a medical certificate stating that they have been vaccinated, are healthy and capable of doing the work in question without injury to their health or bodily development.

This certificate shall be given in writing in the "work-book" (supplied without charge by the Ministry of National Economy through the Mayor), and the wording and form of which shall be determined by Royal Decree to be issued upon proposal of the Minister.

The Mayor shall enter in the "work-book" the full name of the worker, the place and date of his birth and his residence.

The said certificates shall be exempt from stamp duty.

The communal medical officers shall be bound to issue the said certificate without charge or to note in the "work-book" the reasons which do not permit the certificate to be given within the meaning of the Act.

The employers shall enter in the "work-book" the date on which the worker in question commences his work and the date of his discharge from the employment; they shall not be permitted, however, to enter in the "work-book" any remarks with respect to the conduct or capability of the worker or to refuse to return the "work-book." The public officials entrusted with the enforcement of this Act shall be entitled, at any time, to cause a medical examination of the persons referred to in paragraph 1 of this Section, to be effected at the expense of the employer, in order to ascertain whether the work to be performed by them is injurious to their health; in such case they shall be entitled to demand the discharge of such person from the work.

The father or guardian of a worker declared incapable in this manner, shall be entitled to demand a repetition of the medical examination in his presence.

15. If it is desired to employ a person under the age of 18 or a woman in one of the undertakings and kinds of work referred to in §1 (a-c) the employer shall advise the competent police authority before commencing the work. In the advice the full name of the person in question, the date on which the work is intended to be carried out, the time when the work commences and terminates each day, and the intervals of rest, as well as the kind of work, shall be indicated.

The police authority shall be advised before any alteration is made in the foregoing conditions, except in the case of provisional alterations which may be rendered necessary by the substitution of workers prevented from working.

Within three months from the date on which this Act comes into force, every employer in the above-mentioned undertakings and kinds of work shall submit to the police authority, a list of the children, young persons, and women employed by him, and of the conditions under which they are employed, in accordance with paragraph 1 of this Section. He shall also place at the disposal of the public officials supervising the enforcement of this Act a similar list, if requested to do so.

In each of the aforesaid undertakings in which children, young persons and women are employed the employer shall see that, in the rooms in which the said persons are employed, and in a prominent position, a list is affixed showing the names of the said persons, the days on which they are employed and the commencement and termination of the daily working hours and of the intervals for rest.

In the same way, the employer shall see that, in the rooms in question, a notice is exhibited containing an extract from the legal regulations concerning the work of women and young persons, in the form to be determined by the Minister of National Economy.

16. Employers who employ persons below the age of 18 or women in kinds of work referred to in §1, shall be bound, when fitting up the work-place or arranging the work, to take the necessary steps for safeguarding the morality, health, and physical safety of the said workers.

17. By Royal Decree, issued on the proposal of the Minister of National Economy, after having obtained the opinion of the Superior Labour Council, the employment of children, young persons, and women on work which exceeds their strength or is injurious to their health, morality or physical safety, may be prohibited, restricted, or made subject to certain conditions.

18. Proceedings shall be taken officially for contravention of this Act. The employers and directors of undertakings and works shall be punished for every infringement with a fine of from 25-100 drachmas.

The fines shall be inflicted as many times as persons have been employed in contravention of this Act; the total amount of the fines for several contraventions committed simultaneously shall not exceed 500 drachmas.

In the case of a repetition of the offence within the period of one year from the last date on which a penalty was inflicted, the fines shall be doubled up to a maximum amount of 1,000 drachmas.

The owners of undertakings shall be liable, according to the civil law, for the fines imposed upon the directors of their undertakings.

19. The father, mother, or guardian of a child under their protection shall be punished with a fine of from 1-25 drachmas, if they suffer such child to be employed in work or permit him to work contrary to the stipulations of this Act.

In the case of a repetition of the offence within one year from the date of the last punishment the fine may be doubled.

20. The fines imposed in accordance with the preceding Section shall be deposited with the National Bank of Greece as an account bearing interest under the designation of "Workmen's Provident Fund." A special Act shall determine the manner in which the said moneys shall be applied.

21. The police authority, as well as a special Labour Inspection Board in the Ministry of National Economy (Department of Labour and Social Questions) shall be charged with the supervision of the carrying out of this Act, as well as of the other Labour Acts, with the exception of the Acts for regulating work in mines, quarries, underground workings, and on railways. For this purpose two grades of Labour Inspectors, namely, first and second class, shall be created, and two grades of labour overseers, namely, first and second class.

An inspector of the first class shall be entitled to the rank and salary of a departmental chief of the first class, and an inspector of the second class shall be entitled to the rank and salary of a Departmental Chief of the second class.

An overseer of the first class shall be entitled to the rank and salary of a Ministerial secretary of the second class, and an overseer of the second class to the rank and salary of a Ministerial clerk of the first class.

The Chief or Director of the Department of Labour and Social Questions and the Ministry of National Economy, shall also be entitled to exercise the functions of a Labour Inspector.

22. Any person possessing an engineer's diploma of any technical high school in Europe may be appointed, upon decision of the Ministerial Council, as inspector of the first class within six months from the date on which this Act comes into force.

Any person possessing an engineer's diploma of any Greek technical school or any foreign technical school with equivalent rights, and who has passed satisfactorily a competitive examination, the particulars of which shall be determined by Royal Decree, may be appointed inspector of the second class.

After three years' service, an inspector of the second class may be promoted to the position of an inspector of the first class.

Any person who has passed without difficulty a competitive examination, and who, in addition to a certificate of an intermediate school, possesses practical technical knowledge or has been in the service of the State for at least ten years as a clerk of the first class, may be appointed as overseer of the first or second class. The particulars of the competitive examination and the other qualifications required for overseers of the first and second class shall be determined by Royal Decree.

After two years' service, an overseer of the second class may be promoted to be overseer of the first class.

23. The inspecting officials shall be entitled, for the purpose of carrying out an inspection, to enter the factories and working places of the undertakings which come under their supervision in accordance with §21, at any time during the day and also during the night, if the work is carried on during night-time; they shall be bound to bring an accusation before the competent authority for every infringement of the laws, the observance of which they have to supervise, and they are, moreover, bound to strict secrecy with respect to the

industrial secrets and processes of manufacture of the undertakings which it is their business to inspect.

The managers of the undertakings referred to in §1 of this Act shall be bound to furnish to the Ministry of National Economy and to the supervising officials, information with respect to the number, sex and age of the workers, and generally all information required for carrying out the Acts. Any person refusing to give information or intentionally making false statements shall be punished, upon accusation of the competent officials, with a fine of from 10 to 100 drachmas.

Any person making difficult or obstructing the work of the supervising officials shall be punished with a fine not exceeding 500 drachmas. In the case of a repetition of the offence, the fine shall be increased up to 1,000 drachmas.

The supervising officials shall furnish every year to the Minister of National Economy, a report on the inspections carried out.

24. The administration of this Act shall be regulated by Royal Decree, upon the proposal of the Minister after obtaining the opinion of the Superior Labour Council.

25. This Act shall come into force three months after the date of its publication.

All stipulations contrary to this Act are repealed.

**8. Act No. 4080 concerning the payment of wages of workers and the wages of servants and employees. (Dated 24th January, 6th February, 1912.)**

1. By "worker" shall be understood, under this Act, every worker or mechanic of either sex and of any age, who does work of any kind, for the purpose of manufacturing goods, for the chief, manager or owner of a factory or workshop, within or without the establishment, or in any undertaking of any kind yielding profit in return for daily, weekly or monthly wages or payment for piece or by contract, and, further, persons not undertaking work on their own account, overseers or foremen, workers in mines and quarries, salesmen or distributors of industrial products, wood-cutters, as well as all craftsmen, doing personal work in return for wages.

By "employer" shall be understood every principal, owner or director of an industrial or trading concern, factory director, administrator, director or manager of any individual or incorporated profit-making undertaking, and every chief of a mining undertaking or smelting works or of a quarry.

2. Payment of wages per day, by the piece or by contract, to the workers referred to in §1 must be effected :

(1) In the workshop, factory, working-place or office of the undertaking, but not at other places, as, for instance, bars, public-houses, coffee-houses, etc., except in the case of employees or workers in such undertakings, or unless special permission to do so has been granted by the police ;

(2) Either every week during the course of Saturday, or three times or twice every month, according to local custom or agreement, but not after the time when the daily work is concluded. This stipulation shall not apply to undertakings employing more than 200 workers ; as regards such undertakings, the manner of payment shall be regulated by the Minister of National Economy, after having heard the opinion of the Superior Labour Council ;

(3) In the legal currency, and not in kind.

Every infringement of this Section and of the Ministerial Decrees to be issued in virtue of the same, shall be punished, except in cases of *force majeure*, upon application of the worker, the police authority or the competent workmen's union to the police court of the district in which the work or the undertaking is carried out, with a fine of from 10-500 drachmas for every period of payment of wages.

The fines imposed in accordance with the stipulations of the preceding paragraph shall be deposited with the National Bank of Greece as an account bearing interest under the designation of "Workmen's Provident Fund." The manner in which this capital amount shall be applied shall be regulated by a special Act.

3. Deductions from wages may only be made—

(a) For any advances of wages made by the employer ;

(b) For fines, in so far as regulations concerning the same, are affixed in a prominent place in the factory or in the offices, always provided that the fines imposed upon a worker in the course of one day shall not exceed one-fourth of his daily wages, and that the same shall be paid into a common workmen's fund or into the funds of the workmen's union ;

(c) For contributions to provident, pension or insurance funds, in the management of which the workmen participate ;

(d) For contributions and other fees for workmen's co-operative societies or other societies of any other kind, provided that the workman agrees to the deductions being made ;

(e) For making good damages which have been caused by the worker to goods or tools of the employer, or the actual value of raw materials which have been destroyed through the fault of the worker ;

(f) For house rent, if the workers are tenants of the employer.

The fines referred to in §2 shall apply also to infringements of this Section.

4. As proof for the payment of wages of employees of either sex, the Courts may admit the certificate of a well-known bank, branch bank or savings bank, to the effect that the wages have been deposited in the name of the employee in question.

If wages are not paid during a period exceeding three months, interest at the rate of 5 per cent. per annum shall be paid on the same ; every arrangement contrary to this stipulation shall be void.

5. The details with respect to the administration of this Act shall be regulated by Royal Decree, issued on the proposal of the Minister of National Economy, after having heard the opinion of the Superior Labour Council.

## IV. Switzerland

### CANTON OF TICINO.

1. *Legge sul riposo festivo negli uffici tecnici ed amministrativi delle aziende commerciali od industriali di carattere privato.* (15 gennaio 1912.)

**Act respecting Sunday and holiday rest in technical and administrative offices of commercial or industrial concerns of a private nature.** (15th January, 1912.)

1. Sundays and legal holidays are declared to be days of rest for employees and apprentices in technical and administrative offices of commercial or industrial concerns of a private nature, with the exception of those in which Sunday and holiday rest is already provided for by special Acts.

Employees and apprentices shall not be compelled to do work on any of the said days; any agreement to the contrary shall be void.

In regard to forwarding firms, the days fixed by the railway and customs regulations shall be considered as holidays.

2. By way of exception, work shall be permitted on a Sunday or holiday during a maximum period of three hours in the morning:—

(a) In the case of firms forwarding and conveying goods of a perishable nature or in express service or for the conveyance of coffins;

(b) In the case of commercial firms or banking institutions, when this is necessary in consequence of stocktaking and the closing of the books;

(c) In the case of constructional undertakings, in administrative work of an extraordinary and urgent nature.

Sub-section (1). This exception shall not extend to women and to apprentices under 18 years of age.

Sub-section (2). The work on Sundays and holidays referred to under (a) of this Section shall be carried out in rotation in such a manner that each employee may have one Sunday entirely free in every two.

3. Every employee shall, moreover, be entitled to a holiday of 10 consecutive days in every year, to be arranged in agreement with the principal.

4. The enforcement of this Act is entrusted to the Department of Hygiene, to the Government Commissioners, and to the municipalities.

Appeal may be lodged with the Council of State against the decisions of the said authorities.

5. Contraventions shall be notified to the Council of State and punished by a fine of from 5fr. to 100fr., to be doubled in the event of a repetition of the offence, in the manner and according to the terms of the law in regard to contraventions.

6. The Council of State shall issue, if necessary, the regulations and decrees required for the carrying into effect of this Act, which shall come into force one month after the period for the exercise of the right to demand a referendum has elapsed.

2. *Legge sul lavoro delle donne nelle aziende industriali non sottoposte alla legislazione federale, nei magazzini, nelle botteghe e negli uffici.* (15 gennaio 1912.)

**Act respecting women's labour in industrial concerns not subject to the Federal legislation, warehouses, shops and offices.** (Dated 15th January, 1912.)

1. Industrial establishments, not coming within the purview of the federal legislation (with the exception of agricultural concerns), warehouses and shops and offices employing one or more persons of the female sex in the capacity of workers, employees or apprentices, shall be subject to this Act.

2. The enforcement of this Act is entrusted to the Department of Hygiene, to the Government Commissioners, and to the municipalities. Appeal may be lodged with the Council of State against the decisions of the said authorities.

3. Municipalities shall be bound to notify the Government Commissioner, and the latter the Council of State, of the list of concerns, shops and warehouses which come under the supervision established by this Act.

4. Girls shall not be employed until they have completed their 14th year of age.

Women shall not be allowed to work within six months after child-birth.

Women in a condition of advanced pregnancy may leave work at any time of the day, upon simple notification.

5. The working hours shall not exceed 11 (including cleaning operations).

These working hours shall be reduced by one hour on the days preceding Sundays and legal holidays.

At least one hour's rest must be allowed for the midday meal.

6. Night-work, namely, work done between 9 p.m. and 6 a.m., shall be prohibited.

Should the work be continued until 9 p.m. a rest of at least one hour shall be granted in the meantime for supper.

In any case the night rest shall amount to at least nine consecutive hours.

7. The persons subject to this Act shall have one complete day of rest per week, which shall be selected in agreement with the employer or employers by whom they are engaged.

The day of rest shall be preferably Sunday, whenever circumstances make this possible.

8. An extension of the hours of work may, upon justified request, be granted by the Government Commissioner, if such is required, for a period of 15 days, and by the Council of State if required for a longer period.

Permission for one day may be granted in urgent cases by the communal authority.

In any case, however, the said extension shall not exceed two hours over and above the ordinary working hours fixed by §5, and shall not be prolonged beyond 10 p.m.

In any case, only workers or employees who agree of their own free will shall be occupied beyond the ordinary working hours, and it is understood that they shall receive an additional payment for their work.

9. The employment of workers below the age of 18 and pregnant women after the ordinary working hours shall be prohibited.

10. Any extension of the working hours must be notified by notice affixed in the work-room.

11. Should the extent or the nature of an establishment subject to this Act justify this requirement, the employer shall be bound, according to the discretion of the Council of State, to issue regulations stating the working hours, the mode and period of payment, and the conditions as to the engagement and leaving of his women employees.

The said regulations, after the signatures of the women employees have been attached thereto, shall be submitted to the Council of State for its approval, and shall be posted in a prominent position in the work-room.



12. The localities in which women workers are employed must be spacious, light, dry, well ventilated and sufficiently heated.

As far as possible, the women employees in warehouses and shops shall be provided with seating accommodation.

13. No work shall be given out to women workers to be done at home after the legal working hours during which they were occupied in the establishment.

14. It shall not be lawful to deviate from the stipulations of this Act, even by agreement or for special compensation.

15. Contraventions shall be notified to the Council of State, and shall be punished by a fine of from 5fr. to 100fr., to be doubled in case of a repetition of the offence in the manner and according to the terms of the law in regard to contraventions.

16. The Council of State is authorised to issue the Decrees and regulations required for the carrying into effect of this Act, which shall come into force one month after the period for the exercise of the right to demand a referendum has elapsed.

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# Bulletin

OF THE

# INTERNATIONAL LABOUR OFFICE

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[NOTE.—The German, French, and English editions of the *Bulletin* are referred to as G.B., F.B., and E.B. respectively.]

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## National Labour Legislation

### 1. LAWS AND ORDERS

#### I. German Empire

1. *Verordnung über das Inkrafttreten des Gesetzes, betr. die Aufhebung des Hilfskassengesetzes.* (Nr. 4064) Vom. 13. Mai 1912. (Reichs-Gesetzblatt 1912, Nr. 28, S. 309.)

**Decree respecting the coming into force of the Act concerning the abrogation of the Friendly Societies Act.** (Dated 13th May, 1912.)

The Act concerning the abrogation of the Friendly Societies Act of the 20th December, 1911\* (Reichs-Gesetzblatt, p. 985), shall come into force in its full extent as from the 1st June, 1912.

2. *Bekanntmachung, betr. die Beschäftigung von Arbeiterinnen und jugendlichen Arbeitern in Walz- und Hammerwerken* (Nr. 4065). Vom 20. Mai 1912. (Reichs-Gesetzblatt 1912, Nr. 29, S. 311.)

**Notification concerning the employment of women and young workers in rolling and hammer mills.** (Dated 20th May, 1912.)

I. The employment of female and young workers in metal works, rolling and hammer mills with uninterrupted working shall be subject to the following restrictions :—

(1) Female workers shall not be employed in the immediate working of the mills.

(2) Children below the age of 14 shall not be employed at all in the said works.

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\* Text E.B. VII., p. 13, No. 6.

II. In those rolling and hammer mills which treat iron and steel in uninterrupted working, the restrictions of §136 of the Industrial Code may remain in abeyance in the case of the employment of young persons of the male sex in work directly connected with the working of the furnaces, up to the 30th September, 1914, under the following conditions :—

(1) Before commencing the work a certificate for every young worker, given by a physician authorised by the Higher Administrative Authority to issue the said certificates, to the effect that the bodily development of the worker admits of his being employed in the works without danger to his health, shall be handed to the employer. The employer shall deal with the certificate in the same manner as with the work-book (§107 of the Industrial Code).

(2) The hours of work shall not exceed 12 hours, intervals included, or 10 hours exclusive of the intervals. The work must be interrupted in every shift by intervals of a total duration of one hour, and in case of shifts which last longer than eight hours, by intervals of a total duration of at least two hours.

Interruptions of work of less than a quarter of an hour shall not be reckoned as intervals. But if in some of the work departments the occupation of the young workers is so little exerting and by its nature involves so many interruptions of work, affording ample repose, that injury to health seems to be excluded thereby, the Higher Administrative Authority may, upon application, allow such department, while reserving revocation at any time, to set off these interruptions of work against the total duration of intervals of one hour, even when the single interruptions are of a shorter duration than a quarter of an hour.

If the young persons are employed in shifts exceeding eight hours, one of the intervals (midday or midnight interval) shall amount to at least one hour and shall take place between the end of the fifth and the commencement of the ninth working hour. In cases in which the nature of the work or regard for the young persons shall make it appear necessary, the Higher Administrative Authority may, upon special application and with the reservation of revocation, allow that the said interval, without prejudice to the total duration of intervals of two hours, be restricted to half-an-hour. The total duration of employment shall not exceed 60 hours within one week, exclusive of the intervals.

In day and night working a change of shift shall take place every week. In working with two shifts per day the number of shifts falling within the period from 8 p.m. to 6 a.m. (night-shifts), shall not exceed six per week in the case young workers.

(3) Between two working shifts an interval of rest of at least 12 hours must be granted. Within such interval of rest, employment on incidental work is not permitted.

(4) On Sundays and holidays the workers shall not be employed during the time from six o'clock a.m. to 6 o'clock p.m. During the hours before or after this time young persons may be employed on Sundays only if an uninterrupted interval of rest of at least 12 hours is secured to them before commencing or after terminating the working shift.

(5) During the intervals for adult workers young persons shall not be employed.

III. After the 30th September, 1914, only those rolling and hammer mills may avail themselves of the exceptional stipulations referred to under II., to which permission to do so has been granted upon their request by the Higher Administrative Authority. This permission shall be granted only with the reservation of it being revoked at any time, and only for employment in such work as is apt to advance the instruction of the young persons and as does not entail any special danger to their life and health. Should the permission be granted, the regulations under II. (1-5) shall hold good also in these cases. The Higher Administrative Authority may make such approval dependent also upon more far-reaching regulations concerning the working time and the intervals, as well as upon other conditions.

IV. The stipulations of §138, paragraph 2, sentence 1, of the Industrial Code shall apply to rolling and hammer mills which avail themselves of the exceptions permitted under II. and III. under the following conditions :—

(1) That the list of young workers to be posted up in the work-rooms shall be drawn up in such a manner that the workers employed in one and the same shift form one section ;

(2) That if the young workers are granted regular intervals of rest, the commencement and termination of such rest shall be entered specially for each section in the list ;

(3) That if no regular intervals are granted, the list need not contain an indication concerning the intervals. In the place of this, however, a table shall be annexed to the list stating the commencement and termination of the intervals granted during or immediately after each working shift. In this list, information must be given at least of the 14 last working shifts in the case of work carried on in two shifts, and of at least the 20 last working shifts in the case of work carried on in three shifts. The list must also show the name of the person making the entries ;

(4) That the table (3) need not be drawn up for young workers who are employed exclusively on roller trains working with only one non-continuous furnace, if such furnace furnishes at least eight charges within 24 hours, and if no subsequent charges are effected during the work on the roller trains ;

(5) That the Higher Administrative Authority may release certain industries, upon request and while reserving revocation at any time, from keeping the said table in the case of work, specifically named, in which regular intervals of rest occur of at least the same duration as is fixed under II. (2) for young workers, according to the nature of such work.

V. In metal works, rolling and hammer mills with uninterrupted working, a notice must be affixed in a prominent position containing, in clear letters, the stipulations referred to under I.

In those rolling and hammer mills which avail themselves of the exceptions allowed under II. or III., the table must, moreover, contain the stipulations referred to under II., III., and IV.

The stipulation referred to in §138, paragraph 2, sentence 2, of the Industrial Code shall remain unaffected.

VI. The above conditions shall come into force on the 1st July, 1912, and shall be valid for 10 years.

3. *Bekanntmachung, betr. das Verfahren bei Anstellung, Kündigung und Entlassung von Angestellten und Beamten der Krankenkassen sowie bei Streitigkeiten aus deren Dienstverhältnissen.* Nr. 4066. Vom 20. Mai 1912. (Reichs-Gesetzblatt 1912, Nr. 29, S. 314.)

**Notification concerning the procedure when engaging, giving notice to, and dismissing employees and officials of sick funds, as well as in cases of disputes arising out of their employment. (Dated 20th May, 1912.)**

## II. Great Britain and Ireland

1. **Order in Council giving effect to the Convention between His Majesty and the President of the French Republic by modifying the Workmen's Compensation Act, 1906\* (6 Edw. 7 c. 58), in its application to workmen who are French citizens. (Dated 22nd November, 1909.) (Statutory Rules and Orders, 1909; No. 1372-L44.)**

The Workmen's Compensation Act, 1906, hereinafter referred to as the Act, shall in the case of workmen who are French citizens apply subject to the following modifications:—

(1) An employer having his principal place of business in France shall not be liable to pay compensation under the Act for injury to a workman who is a French citizen by accident arising out of and in the course of the employment—

(i.) if the workman has been temporarily detached for employment in the United Kingdom, and such employment has at the time of the accident lasted less than six months;

(ii.) if the workman is engaged in transport service and is employed at intervals whether regular or not in the United Kingdom.

(2) In all cases the question as to the liability to pay compensation under the Act to a French citizen and as to the amount or duration of such compensation, including the question of the redemption of weekly payments, and in cases of death the question as to who is a dependant and as to the amount payable to each dependant, shall be settled by the Judge of the County Court and in no other manner.

(3) Where a weekly payment payable to a French citizen has been redeemed by the payment of a lump sum of such amount as would, if invested in the purchase of an immediate life annuity from the National Debt Commissioners through the Post Office Savings Bank, purchase an annuity for the workman of upwards of £4, the lump sum shall be paid into the County Court and invested in the purchase of an annuity for the benefit of the workman.

(4) Where a lump sum payable either in the redemption of a weekly payment or as compensation to the dependants of a deceased workman has been paid into the County Court, then—

(a) if the workman returns to reside in France; or

(b) if the dependants resided in France at the time of the death of the workman, or subsequently return to reside in France, the total sum due to the injured workman or his dependants shall be transferred to the "Caisse Nationale Française des Retraites pour la Vieillesse."

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\* Act of 21st Dec., 1906; Text E.B. I., p. 18.

(5) Where a workman receiving a weekly payment returns to reside in France, the amount due by way of weekly payments shall, notwithstanding anything in paragraph 18 of the First Schedule to the Act, be remitted to him through the County Court at such intervals and in such manner as may be agreed upon between the Secretary of State and such persons as the President of the French Republic may authorise for the purpose.

(6) No Court fee or other charge shall be payable in the case of a workman who is a French citizen in respect of any proceedings under the Act in the County Court, whether under paragraph (15) of the First Schedule to that Act, or subsequent to the award, or otherwise.

(7) The Registrar of every County Court shall, not later than the 31st January in each year, send to the Secretary of State for the Home Department, in a form prescribed by him, a record of all judicial decisions given in the course of the preceding year under the Act in the case of French citizens, and the said Secretary of State shall cause such record to be communicated to the "Département du Travail et de la Prévoyance Sociale."

(8) The power of making rules under the Act shall include a power to make such rules as may be necessary for the purpose of carrying this Order into effect.

(9) In Scotland references to the Sheriff Court shall be substituted for references to the County Court, reference to the Sheriff for reference to the Judge of the County Court, and reference to the Sheriff Clerk for reference to the Registrar of the County Court.

(10) This Order shall apply to all accidents happening on and after the date on which the Convention takes effect, and shall cease to have effect on the expiration of one year from the date on which the Convention shall have been denounced by one or other of the two contracting parties.

**2. An Act to facilitate the grant to members of the Constabulary of one day's rest off duty in every seven. (Dated 26th July, 1910.) (10 Edw. 7 and 1 Geo. 5, ch. 13.)**

1. (1) The police authority of any county or borough in England or Wales as respects which this Act is for the time being in force shall make such arrangements as to the hours of duty of constables that every constable (not being above the rank of inspector) shall be allowed at least fifty-two days in a year on which he is not required to perform police duty, save on occasions of emergency, and for such days being distributed throughout the year with the object of securing, so far as practicable, to every constable one day's rest in every seven.

(2) This Act shall not come into force as respects any police authority until such date as may be fixed by the authority, but, if this Act has not come into force as respects the police authority of any county borough maintaining a separate police force before the expiration of four years from the passing of this Act, it shall come into force as respects that authority at the expiration of that period. And, if this Act has not come into force as respects any other police authority on such date not less than four years after the passing of this Act as may hereafter be fixed by Order in Council, it shall come into force at any date so fixed, and the Order may apply either to all such other police authorities generally or to any authority specified in the Order; and may contain such modifications as may be necessary to provide for the case of small police stations in rural districts, or for other special circumstances affecting the district of a police authority:

Provided that before any Order in Council is made under this Act, the draft thereof shall be laid before each House of Parliament, and, if an address is presented to His Majesty against the draft or any part thereof by either House of Parliament within the next subsequent thirty days on which that House has sat next after any such draft is laid before it, no further proceedings shall be taken thereon, without prejudice to the making of any new draft order.

2. This Act may be cited as the Police (Weekly Rest-Day) Act, 1910, and shall be construed with the Police Acts, 1839 to 1909, and those Acts and this Act may be cited together as the Police Acts, 1839 to 1910.

**3. The Workmen's Compensation Rules, 1911.** (Dated 31st March, 1911.)  
(Statutory Rules and Orders, 1911; No. 318-L. 8.)

[EXTRACT.]

THE WORKMEN'S COMPENSATION (ANGLO-FRENCH CONVENTION) ACT, 1909,\*  
AND ORDER IN COUNCIL, 22nd November, 1909.†

9. Where a request for arbitration is filed by or on behalf of a workman who is a French citizen, or by or on behalf of the dependants of a deceased workman who was a French citizen, the following provisions shall apply.

10. The request and particulars shall state that the workman is or the deceased workman was a French citizen.

11. The court in which proceedings are to be taken shall be determined in accordance with Rule 73 of these Rules.

12. A respondent who intends to rely as a defence on paragraph (1) of the Order in Council dated the 22nd day of November, 1909,† made under the Workmen's Compensation (Anglo-French Convention) Act, 1909\* (in these Rules referred to as "the Order in Council"), shall state the facts on which he intends to rely in his answer in accordance with Rule 17 of these Rules.

13. Any lump sum payable in redemption of a weekly payment payable to a workman who is a French citizen, which is to be paid into court pursuant to paragraph (3) of the Order in Council, shall when so paid be invested by the registrar in the purchase of two immediate annuities of equal value on the life of and in the name of the workman from the National Debt Commissioners through the Post Office Savings Bank, the first half-yearly instalment of the first of such annuities to be payable on the second quarterly day of payment next following the day of purchase, and the first half-yearly instalment of the second of such annuities to be payable on the third quarterly day of payment next following the day of purchase.

When applying to the Post Office Savings Bank for the purchase of any such annuities the registrar shall inform the department that the case is one under the Order in Council; and the workman shall sign such documents and furnish such evidence as may be required by the Post Office Annuity and Insurance Regulations, 1888 to 1895, to enable such annuities to be so purchased.

14. Where a lump sum payable in redemption of a weekly payment to a workman who is a French citizen has been paid into court, then, if the workman returns to reside in France, such sum (unless the same has been invested in pursuance of the last preceding Rule) shall, on the application of the workman, be paid over by the registrar to the "Caisse Nationale Française des Retraites pour la Vieillesse" (in these Rules referred to as "the Caisse").

\*Text E.B. VI., p. 32.

†Text E.B. VII., p. 298.

Any such sum shall be transmitted by the registrar to the Caisse by registered post letter, inclosing a crossed cheque for the total sum due to the workman, and shall be accompanied by a certificate according to the form in the Appendix, and the registrar shall on the application of the workman forward to him a copy of the certificate.

15. Where a sum payable as compensation to the dependants of a deceased workman who was a French citizen has been paid into court, then, if the dependants resided in France at the time of the death of the workman, or subsequently return to reside in France, such sum shall, on the application of the dependants, be paid over to the Caisse.

(2) Any such sum shall be transmitted in accordance with the last preceding Rule, and the registrar shall, on the application of the dependants, forward to them a copy of the certificate.

16. (1) Where a workman who is a French citizen is in receipt of a weekly payment, and such workman intends to return to reside in France, the following provisions shall have effect under paragraph (5) of the Order in Council.

(2) The payments of the amount of compensation due to the workman shall be made at intervals of three months.

(3) The workman may apply to the registrar for a certificate of a medical referee as to the nature of the incapacity resulting from the injury.

(4) The application shall be made on notice in writing, according to the form in the Appendix, which shall be filed with the registrar ; and a copy of the application shall be served on the employer in accordance with Rule 48 ; and the applicant shall file a copy of the application for the use of the medical referee.

(5) The employer may, on being served with notice of the application, require the workman to submit himself for examination by a medical practitioner provided and paid by the employer, in accordance with paragraph 14 of the First Schedule to the Act ; and if the employer requires the workman to submit himself for such examination he shall before or at the hearing of the application furnish the workman with a copy of the report of that practitioner as to the workman's condition, and file a copy of the report for the use of the medical referee.

(6) The workman and the employer respectively may before or at the hearing of the application submit to the registrar such statements in writing as they may think fit, with copies of such statements for the use of the medical referee.

(7) On the hearing of the application the registrar shall make an order referring the question to one of the medical referees appointed for the area comprising the district of the court. The order of reference shall be according to the form in the Appendix, and shall state the injury in respect of which the award was made, so far as it appears on the records of the court : and the registrar shall forward the order to the medical referee by registered post, accompanied by a copy of the application and of any reports and statements submitted to him by either party.

(8) The registrar shall also make an order directing the workman to submit himself for examination by the medical referee, subject to and in accordance with any regulations made by the Secretary of State ; and the provisions of paragraphs 5 and 6 of Rule 54 shall apply.



(9) The medical referee shall forward his certificate in the matter to the registrar by registered post, specifying fully therein the nature of the incapacity (if any) of the workman resulting from the injury ; and the registrar shall thereupon proceed in accordance with paragraph 8 of Rule 54.

(10) Where the medical referee certifies that the workman is suffering from incapacity resulting from the injury, the registrar shall, on the application of the workman, made on notice in writing and served on the employer two clear days at least before the hearing of the application, fix the intervals at which the workman shall be bound to produce, in support of his demand for payment of the amount of compensation due to him, a medical certificate that the incapacity resulting from the injury continues. These certificates shall be required at such intervals, not being less than three months nor more than twelve months from the date to which payment was last made, as the registrar may determine, having regard to the nature of the incapacity.

(11) On the intervals being fixed, the registrar shall send a copy of the order to the workman and to the employer, and shall on application furnish the workman with—

(a) a copy of the certificate of the medical referee, sealed with the seal of the court and certified by the registrar in his own handwriting to be a true copy ;

(b) a copy of the award under which the weekly payment is payable, sealed with the seal of the court and certified by the registrar in his own handwriting to be a true copy ;

(c) a certificate of identity according to the form in the Appendix ; and

(d) a notice according to the form in the Appendix ; and shall procure from the workman a specimen of his signature, and file the same for reference.

(12) For the purpose of obtaining payment of the compensation due to him, an injured workman who is a French citizen, and has returned to reside in France, shall at intervals of three months from the date to which such payment was last made produce to the mayor of the commune in which he resides the certificate of identity furnished under the last preceding paragraph, and shall obtain from the mayor a certificate that such workman was alive on the day when the certificate of identity was produced. He shall also, at the intervals fixed by the registrar, obtain from a medical practitioner employed in an official capacity in the Department in which the workman resides a certificate that the incapacity specified in the certificate of the medical referee as resulting from the injury still continues.

(13) The certificate of the mayor mentioned in the last preceding paragraph, and, where a certificate of a medical practitioner is required under that paragraph, such certificate (which certificate or certificates must be authenticated by a *visé* of the Prefecture of the Department attesting the official status of the mayor and medical practitioner respectively), shall be forwarded, with a request for payment of the amount of the weekly payments due to the workman, to the French consular authority for the district in which the court is situated, to be by him transmitted to the registrar.

(14) In the event of the death of a workman in receipt of weekly payments who is a French citizen residing in France, his representatives shall, for the purpose of obtaining payment of the arrears due to the workman, forward a certificate of the death of the workman and documents showing that

they are entitled to such arrears, with a request for payment of such arrears, to the consular authority, to be by him transmitted to the registrar.

(15) On receipt of the documents mentioned in paragraph 13 or paragraph 14 the registrar shall send to the employer a notice according to the form in the Appendix, requesting him to forward the amount due; and the employer shall thereupon forward the amount to the registrar, who shall remit the same without charge to the consular authority, to be remitted to the workman or his representatives.

**4. An Act to remove certain doubts as to the true interpretation of the Merchant Shipping Acts, 1894 to 1906,\* in respect of the payment of seamen's allotment notes. (Dated 18th August, 1911.) (1 and 2 Geo. 5, ch. 8.)**

1. By agreement with the master an allotment note may be granted to a seaman providing for—

- (a) payment of a greater sum than one-half of the wages;
- (b) payment at a period earlier than one month from the date of the agreement with the crew and at intervals more frequent than one month.

2. This Act may be cited as the Merchant Shipping (Seamen's Allotment) Act, 1911.

**5. An Act to amend the Old Age Pensions Act, 1908. (Dated 18th August, 1911.) (1 and 2 Geo. 5., ch. 16.)**

1. For the purposes of the Old Age Pensions Act, 1908† (in this Act referred to as "the principal Act"), a person shall be deemed, according to the law in Scotland as well as according to the law in England and Ireland, to have attained the age of seventy or sixty on the commencement of the day previous to the seventieth or sixtieth anniversary, as the case may be, of the day of his birth.

2. (1) In calculating, for the purpose of the principal Act, the means of a person, account shall be taken of—

(a) the yearly value of any property belonging to that person (not being property personally used or enjoyed by him) which is invested, or is otherwise put to profitable use by him, or which, though capable of investment or profitable use, is not so invested or put to profitable use by him, the yearly value of that property being taken to be one-twentieth part of the capital value thereof;

(b) the income which that person may reasonably expect to receive during the succeeding year in cash, excluding any sums receivable on account of an old age pension under this Act, and excluding any sums arising from the investment or profitable use of property (not being property personally used or enjoyed by him) that income, in the absence of other means for ascertaining the income, being taken to be the income actually received during the preceding year;

(c) the yearly value of any advantage accruing to that person from the use or enjoyment of any property belonging to him which is personally used or enjoyed by him, except furniture and personal effects in a case where the total value of the furniture and effects does not exceed fifty pounds; and

(d) the yearly value of any benefit or privilege enjoyed by that person:

\* Act of 21st Dec., 1906; Extract E.B. I., p. 477.

† Act of August 1st, 1908. Text E.B. III., p. 158.

Provided that, where under paragraph (a) of the foregoing provisions the yearly value of any property is taken to be one-twentieth part of the capital value thereof, no account shall be taken under any other of those provisions of any appropriation of that property for the purpose of current expenditure.

(2) In calculating the means of a person being one of a married couple living together in the same house, the means shall be taken to be half the total means of the couple.

(3) The foregoing provisions of this Section shall be substituted for Sub-sections (1) and (2) of §4 of the principal Act.

3. Notwithstanding anything in the principal Act—

(1) the condition as to nationality imposed by paragraph (2) of §2 of the principal Act shall not be required to be fulfilled in the case of a woman who satisfies the pension authorities that she would, but for her marriage with an alien, have fulfilled the condition, and that, at the date of the receipt of any sum on account of a pension, the alien is dead, or the marriage with the alien has been dissolved or annulled, or she has, for a period of not less than two years up to the said date, been legally separated from, or deserted by, the alien :

(2) it shall be a statutory condition for the receipt of an old age pension by any person, that the person must satisfy the pension authorities that for at least twelve years in the aggregate out of the twenty years up to the date of the receipt of any sum on account of a pension he has had his residence in the United Kingdom :

Provided that for the purposes of computing the twelve years' residence in the United Kingdom under this provision—

(a) any periods spent abroad in any service under the Crown, the remuneration for which is paid out of moneys provided by Parliament, or as the wife or servant of a person in any such service so remunerated ; and

(b) any periods spent in the Channel Islands or the Isle of Man by a person born in the United Kingdom ; and

(c) any periods spent abroad by any person during which that person has maintained or assisted in maintaining any dependant in the United Kingdom ; and

(d) any periods of absence spent in service on board a vessel registered in the United Kingdom by a person who before his absence on that service was living in the United Kingdom ; and

(e) any periods of temporary absence not exceeding three months in duration at any one time ;  
shall be counted as periods of residence in the United Kingdom.

4. (1) Any rule of law and any enactment, the effect of which is to cause relief given to or in respect of a wife or relative to be treated as relief given to the person liable to maintain the wife or relative, shall not have effect for the purposes of §3 of the principal Act (which relates to disqualification).

(2) Two years shall be substituted for ten years as the further period of disqualification under Sub-section (2) of §3 of the principal Act, both as respects persons convicted before the passing of this Act, and, as respects persons convicted after the passing of this Act, in cases where the term for which a person has been ordered to be imprisoned without the option of a fine does not exceed six weeks.

(3) Any person in receipt of an old age pension who is convicted of any offence which is mentioned in or deemed to be mentioned or included in the First Schedule to the Inebriates Act, 1898, shall, if not subject to disqualification under the principal Act, be disqualified for receiving or continuing to receive an old age pension for a period of six months after the date of his conviction, unless the court before whom he is convicted direct to the contrary.

5. A sum shall not be paid on account of an old age pension—

(a) to any person while absent from the United Kingdom; or

(b) if payment of the sum is not obtained within three months after the date on which it has become payable.

6. (1) It is hereby declared that a question may be raised at any time—

(a) whether at any time or during any period a person has been in receipt of an old age pension when the statutory conditions were not fulfilled, or when he was disqualified for receiving the pension; and

(b) whether a person has been at any time or during any period in receipt of a pension at a certain rate when his means exceeded the amount which justified the payment of a pension at that rate, and, if so, at what rate the pension, if any, should have been paid; and

(c) whether a person who is in receipt of a pension at a certain rate is, having regard to his means, entitled to a pension at a higher or a lower rate, and, if so, at what rate the pension (if any) should be paid;

and that an application may be made at any time to alter or revoke a provisional allowance of a claim for a pension.

(2) §7 of the principal Act shall apply to any such question or application as it applies to the questions mentioned in that Section.

(3) Any such question may be raised notwithstanding that the decision of the question involves a decision as to the correctness of a former decision of the local pension committee or central pension authority as the case may be, but, where by a later decision a former decision is reversed, a person who has received any sums on account of an old age pension in accordance with the former decision shall, notwithstanding anything in Sub-section (2) of §9 of the principal Act, in the absence of any fraud on his part, be entitled to retain any sum so received up to the date of the later decision which he would have been entitled to retain but for the reversal of the former decision.

(4) Where a question is raised as to the disqualification of a person to receive an old age pension and it is alleged that the disqualification has arisen since the person has been in receipt of the pension, and that the disqualification is continuing at the time the question is raised, or, if it has ceased, has ceased less than three weeks before that time, the payment of the pension shall be discontinued, and no sum shall be paid to the pensioner on account of the pension after the date on which the question is raised: Provided that, if the question is decided in favour of the pensioner, he shall be entitled to receive all sums which would have been payable to him if the question had not been raised.

(5) If the decision on any question involves the discontinuance of an old age pension, or the reduction of the rate at which the pension is paid, or if, in a case where the payment of the pension has been discontinued on the raising of the question, the question is not decided in favour of the pensioner, the person in respect of whose pension the decision is given shall not be entitled

to receive a pension or to receive a pension at a rate higher than that determined by the committee or authority, as the case may be, notwithstanding any change of circumstances, unless he makes a fresh claim for the purpose and the claim is allowed, or, in a case where he alleges that he is entitled to receive a pension at a higher rate, raises a question for the purpose and the pension is allowed at a higher rate.

(6) It is hereby declared that a pension officer, if dissatisfied with any refusal or neglect of a local pension committee to consider a claim or determine a question, has, under paragraph (d) of Sub-section (1) of §7 of the principal Act, a right to apply to the central pension authority as a person aggrieved within the meaning of that provision.

7. (1) Sub-section (2) of §9 of the principal Act shall apply, with the necessary modifications, to cases where an old age pension is received at a higher rate than that appropriate to the case as it applies to cases where a person has been in receipt of an old age pension while the statutory conditions were not fulfilled.

(2) For the purposes of Sub-section (2) of §9 of the principal Act and this Section, any decision of the local pension committee under §7 of the principal Act on any question which is not referred to the central pension authority and the decision of the central pension authority on any question which is referred to them under that Section shall be conclusive proof of any matters decided by the committee or the authority.

A copy of any decision of the local pension committee or central pension authority, if authenticated in manner provided by regulations to be made for the purpose under §10 of the principal Act, shall be received in evidence.

(3) Where any person who is in receipt of an old age pension is liable to repay to the Treasury any sums under Sub-section (2) of §9 of the principal Act in consequence of the finding of a local pension committee, or of the central pension authority in the case of a question referred to them, the Treasury shall be entitled, without prejudice to their powers under that Sub-section, to direct the deduction of those sums from any sum to which that person becomes entitled on account of an old age pension, in manner to be provided by regulations to be made for the purpose under §10 of the principal Act :

Provided that, in the case of a personal representative, the deduction shall only be made from any sums to which that person becomes entitled as a personal representative.

(4) A court of summary jurisdiction in Ireland shall have the same power as a court of summary jurisdiction in England, in the case of a person convicted for an offence under Sub-section (1) of §9 of the principal Act, to impose a fine not exceeding twenty-five pounds instead of imprisonment, if they think that the justice of the case would be better met by a fine than by imprisonment.

8. The provisions of this Act modifying the statutory conditions for the receipt of an old age pension shall not operate—

(a) so as to disentitle any person who is in receipt of such a pension at the time of the commencement of this Act to continue to receive his pension ; or

(b) so as to reduce the rate of pension to which such a person is entitled.

9. (1) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) Any reference in this Act to the principal Act or any enactment therein shall, unless the context otherwise requires, be construed as references to that Act or enactment as amended by this Act.

(3) This Act shall be read as one with the principal Act, and may be cited as the Old Age Pensions Act, 1911; and this Act and the principal Act may be cited together as the Old Age Pensions Acts, 1908 and 1911.

#### SCHEDULE.

##### ENACTMENTS REPEALED.

Session & Chapter.	Short Title.	Extent of Repeal.
8 Edw. 7. c. 40	The Old Age Pensions Act, 1908.	In paragraph (2) of §2 the words "and has had his residence as defined by regulations under this Act in the United Kingdom"; Sub-sections (1) and (2) of §4; and the words "and for defining the meaning of residence for the purposes of this Act" in paragraph (a) of Sub-section (1) of §10.

6. **An Act to amend the law relating to labourers in Ireland.** (Dated 18th August, 1911.) (1 and 2 Geo. 5., ch. 19.)

7. **An Act to give power to make regulations with respect to cotton cloth factories.** (Dated 18th August, 1911.) (1 and 2 Geo. 5., ch. 21.)

1. (1) The Secretary of State may make regulations for the purpose of giving effect to such of the recommendations contained in the Second Report, dated January nineteen hundred and eleven, of the Committee appointed by the Secretary of State on the twenty-seventh day of November nineteen hundred and seven to inquire into the question of humidity and ventilation in cotton cloth factories, as he may deem necessary for the protection of health in cotton cloth factories.

(2) Any regulations so made shall have effect as if embodied in Part V. of the Factory and Workshop Act, 1901 (in this Act referred to as the principal Act, and may be substituted for the provisions contained in §§90, 91, 92, 94, and the Fourth Schedule of the principal Act, or any of those provisions, and those provisions or any of them for which regulations are so substituted shall cease to apply to cotton cloth factories.

(3) §95 of the principal Act shall apply to any contravention of or non-compliance with any regulations made under this Act, and, both in its application to those regulations and in its application to the provisions of that Act, shall be read as if twenty-four months were substituted for twelve months.

2. This Act may be cited as the Factory and Workshop (Cotton Cloth Factories) Act, 1911, and shall be construed as one with the Factory and Workshop Acts, 1901 and 1907\*; and this Act and those Acts may be cited together as the Factory and Workshop Acts, 1901 to 1911.

\* Act of 28th Aug., 1907; Text E.B. II., p. 265, No. 13.

8. Order of the Secretary of State, dated 25th October, 1911, applying the provisions of §116 of the Factory and Workshop Act, 1901 (1 Edw. 7, c. 22), with modifications, to the manufacture of household linen ; curtains and furniture hangings ; and lace. (Statutory Rules and Orders, 1911 ; No. 1046.)

In pursuance of §116 of the Factory and Workshop Act, 1901, I hereby make the following Order :—

The provisions of the said Section shall apply, subject to the modifications hereinafter contained, to non-textile factories and workshops or parts thereof in which the undermentioned classes of work, or any of them, are carried on, and to out-workers employed in those classes of work and the occupiers and contractors by whom they are employed :—

(1) The making up, ornamenting, finishing and repairing of table linen, bed linen or other household linen (including in the term linen articles of cotton or cotton and linen mixtures), and any processes incidental thereto.

(2) The making of curtains and furniture hangings and any processes incidental thereto.

(3) Processes incidental to the making of lace.

Provided that this Order shall not apply to any work to which the Bleaching and Dyeing Particulars Order dated 22nd November, 1909,\* applies.

The said Section shall be modified so as to read as follows :—

(1) The occupier or contractor shall for the purpose of enabling each worker who is paid by the piece to compute the total amount of wages payable to him in respect of his work, cause to be published particulars of the rate of wages applicable to the work given out, and also particulars of the work to which the rate is to be applied, as follows :

(a) He shall furnish every worker with particulars of the rate of wages applicable to the work given out to him either,

(i.) by furnishing him with a written or printed statement of such particulars when the work is given out to him ; or

(ii.) in the case of persons employed in a factory or workshop, by exhibiting such particulars in the factory or workshop on a placard containing no other matter than the rates of wages applicable to the work done in the factory or workshop, and posted in a position where it is easily legible by the workers.

(b) Such particulars of the work given out to each worker as affect the amount of wages payable to him shall be furnished to him in writing at the time when the work is given out to him.

(c) The particulars, either as to rate of wages or as to work, shall not be expressed by means of symbols.

(2) If the worker is required to return any written particulars or to hand them on with the work to another worker, either (a) a copy shall be furnished to the worker which he may retain for his own use, or (b) a book shall be supplied to the worker in which he may enter such particulars ; this book shall be produced by the worker for examination by the person receiving the work on behalf of the employer, who shall initial the entry if found correct.

(3) If the occupier or contractor fails to comply with the requirements of this Section, he shall be liable for each offence to a fine of not more than ten pounds, and, in the case of a second or subsequent conviction

\* Text E.B. V., p. 114, No. 8.

within two years from the last conviction for that offence, not less than one pound.

(4) If anyone engaged as a worker in any of the classes of work aforesaid having received such particulars whether they are furnished directly to him or to a fellow workman, discloses the particulars for the purpose of divulging a trade secret, he shall be liable to a fine not exceeding ten pounds.

(5) If anyone for the purpose of obtaining knowledge of or divulging a trade secret, solicits or procures a person so engaged to disclose such particulars, or with that object pays or rewards any such person, or causes any person to be paid or rewarded for so disclosing such particulars, he shall be liable to a fine not exceeding ten pounds.

In this Order the term "out-worker" means—

(a) Any workman employed in the business of a factory or workshop outside the factory or workshop, whether directly by the occupier thereof or by any contractor employed by him.

(b) Any workman employed by the occupier of any place from which work is given out or by a contractor employed by him in connection with the said work.

(c) Any contractor employed by the occupier of a factory or workshop on the business of the factory or workshop outside the factory or workshop, or employed by the occupier of a place from which work is given out in connection with the said work, except a contractor who does not personally do any part of the work which he undertakes.

Provided that in the last-mentioned case a person employing a contractor shall not be liable to a fine for any failure to furnish him with particulars if he shows to the satisfaction of the Court that he had reasonable ground for believing that the contractor was the occupier of a factory or workshop and that the work given out would be wholly done by persons employed by the contractor and no part thereof by the contractor personally.

This Order shall come into force on the 15th November, 1911.

**9. An Act to enlarge the remedies of persons having claims for work done in connection with the stowing or discharging of ships' cargoes or the trimming of coal on board ships. (Dated 16th December, 1911. (1 and 2 Geo. 5., ch. 41.)**

1. (1) If it is claimed that any sum is due to any person from the owners of a ship for work done at any place in the United Kingdom by that person in connection with the stowing or discharging of cargoes on board or from that ship, or the trimming of coal on board that ship, and that ship is at any time found in any place in England or Ireland or within three miles of the coast thereof, a judge of any court of record in England or Ireland may, upon its being shown to him by any person applying in accordance with rules of court that *prima facie* the claim against the owners is a good claim and that none of the owners reside in the United Kingdom, issue an order for the arrest of the ship.

(2) An order under this Act shall be directed to some officer of customs and excise, or some other officer named in the order, and shall require him to detain the ship until such time as satisfaction has been made by the owners, agent, master, or consignee thereof in respect of the claim, or until security, to be approved by the judge, has been given by them or him, to abide the event



of any action, suit, or other legal proceeding that may be instituted in respect of the claim, and to pay all costs and damages that may be awarded thereon, and where any such order is made, the officer to whom the order is directed shall detain the ship accordingly.

(3) In any legal proceedings in relation to any such claim as aforesaid, the person giving security shall be made defendant, and shall be stated to be the owner of the ship in respect of which the work giving rise to the claim was done, and the production of the order of the judge, made in relation to the security, shall be conclusive evidence of the liability of the defendant to the proceedings.

(4) Where a complaint is made to the Board of Trade that, before an application can be made under this Section, the ship in respect of which the application is to be made will have departed from the limits of England or Ireland or three miles from the coast thereof, the ship shall, if the Board so direct, be detained for such time as will allow the application to be made and the result thereof to be communicated to the officer detaining the ship, and that officer shall not be liable for any costs or damages in respect of the detention if made in accordance with the directions of the Board.

(5) §692 of the Merchant Shipping Act, 1894, shall apply to the detention of a ship under this Act as it applies to the detention of a ship under that Act.

(6) If the owner of a ship is a corporation, the owner shall, for the purposes of this Act, be deemed to reside in the United Kingdom if the corporation has an office in the United Kingdom at which service of writs can be effected.

2. Where a ship has been demised to charterers, the provisions of this Act shall apply to claims against the charterers of the ship as they apply to claims against the owners of a ship, with the substitution of charterers for owners :

Provided that no ship shall be detained on a claim against the charterers of the ship after the expiration of the term for which the ship was demised to them.

3. Any person having a claim to which this Act applies may, if he so desires, instead of proceeding under the foregoing provisions of this Act institute proceedings in Admiralty for enforcing the claim, and all courts having jurisdiction in Admiralty shall, if proceedings are so instituted, have the same jurisdiction for the purpose of enforcing the claim as if the claim were a claim for necessities supplied to the ship.

4. Nothing in this Act shall affect the power of any person to enforce any claim to which this Act applies otherwise than in accordance with the provisions of this Act.

5. This Act may be cited as the Merchant Shipping (Stevedores and Trimmers) Act, 1911.

**10. An Act to prohibit the sale and use for the purpose of the manufacture of certain articles of unclean flock manufactured from rags. (Dated 16th December, 1911.) (1 and 2 Geo. 5., ch. 52.)**

1. (1) It shall not be lawful for any person to sell or have in his possession for sale flock manufactured from rags or to use for the purpose of making any article of upholstery, cushions, or bedding flock manufactured from rags or to have in his possession flock manufactured from rags intended to be used for any such purpose, unless the flock conforms to such standard of cleanliness as

may be prescribed by regulations to be made by the Local Government Board, and, if any person sells or uses or has in his possession flock in contravention of this Act, he shall be liable on summary conviction to a fine not exceeding, in the case of a first offence, ten pounds, or in the case of a second or subsequent offence fifty pounds.

(2) All regulations made by the Local Government Board under this Act shall be laid before Parliament as soon as may be after they are made, and the Rules Publication Act, 1893, shall apply to such regulations as if they were statutory rules within the meaning of §1 of that Act.

(3) Where, in any proceedings against a person charged with an offence under this Act, it is proved that an offence under this Act has been committed, but that the person charged with the offence—

(a) purchased the flock in respect of which the offence was committed from a person resident within the United Kingdom who sold the flock under a warranty that it complied with the prescribed standard of cleanliness; and

(b) took reasonable steps to ascertain, and did in fact believe in, the accuracy of the statement contained in the warranty; the person so charged shall be entitled upon an information duly laid by him to have the person who gave the warranty brought before the court, and that person may be summarily convicted of the offence, and the person originally charged shall be exempt from any fine, and the person so convicted shall, in the discretion of the court, also be liable to pay any costs incidental to the proceedings.

(4) Where a person is charged with having flock in his possession in contravention of this Act any flock proved in the proceedings to have been found in his possession shall be deemed to be intended for sale or for use in the manufacture of such articles as aforesaid, unless the contrary is proved.

(5) It shall be the duty of a sanitary authority to enforce the provisions of this Act within their district, and for that purpose the medical officer of health, the inspector of nuisances or sanitary inspector, or any other officer whom the sanitary authority may appoint, shall have power, if so authorised by the sanitary authority, to institute and carry on any proceedings which the sanitary authority is authorised to institute and carry on under this Act, and to enter at all reasonable times any premises in which he has reasonable cause to believe that an offence under this Act is being committed, and to examine and take samples for the purposes of analysis of any flock found therein :

Provided that, where a sample is so taken, the occupier of the premises may require the officer taking the sample to divide it into two parts and to mark, seal and deliver to him one part.

If any person wilfully obstructs any such officer in the execution of his powers under this Section, he shall be liable on summary conviction to a fine not exceeding five pounds.

(6) The expenses of sanitary authorities under this Act shall be defrayed—

(a) in the case of the mayor, aldermen and commons of the city of London in common council assembled, out of the general rate;

(b) in the case of the council of a metropolitan borough, as part of the expenses incurred by the council in the execution of the Public Health (London) Act, 1891;

(c) in the case of any other sanitary authority, namely, the council of a municipal borough or urban or rural district, as part of the general expenses incurred in the execution of the Public Health Acts.

(7) All fines imposed in any proceedings instituted by a sanitary authority in pursuance of their powers and duties under this Act shall be paid to the sanitary authority and carried to the credit of the fund out of which the expenses incurred by the authority under this Act are defrayed.

(8) This Act shall apply to Scotland with the following modifications :

(a) The expression " Local Government Board " means the Local Government Board for Scotland ; the expression " sanitary authority " means the local authority under the Public Health (Scotland) Act, 1897 ; and the expression " inspector of nuisances " means sanitary inspector :

(b) The provision respecting the Rules Publication Act, 1893, shall have effect as if §1 of that Act applied to Scotland with the substitution of the *Edinburgh Gazette* for the *London Gazette* :

(c) The expenses of a local authority under this Act shall be defrayed out of the public health general assessment levied under the Public Health (Scotland) Act, 1897.

(9) This Act shall apply to Ireland with the following modifications :—

(a) The Local Government Board for Ireland shall be substituted for the Local Government Board ;

(b) The Public Health (Ireland) Acts, 1878 to 1907, shall be substituted for the Public Health Acts ; and

(c) The expression " medical officer of health " shall include a medial superintendent officer of health.

2. This Act may be cited as the Rag Flock Act, 1911, and shall come into operation on the first day of July, nineteen hundred and twelve.

**11. Regulations, dated 21st December, 1911, made by the Secretary of State under the Factory and Workshop (Cotton Cloth Factories) Act, 1911,\* (1-2 Geo. 5., ch. 21) as to humidity and ventilation in cotton cloth factories. (Statutory Rules and Orders, 1911 ; No. 1259.)**

In pursuance of §1 of the Factory and Workshop (Cotton Cloth Factories) Act, 1911, I hereby make the following Regulations, and direct that they shall apply, in substitution for §§90, 91, 92 and 94, and Schedule IV. of the Factory and Workshop Act, 1901, to all factories in which is carried on the weaving of cotton cloth.

These Regulations shall come into force on 1st April, 1912, provided that paragraphs (c), (d), (e) and (f) of Regulation 6 shall not come into force until 1st June, 1912.

Provided further that the Chief Inspector of Factories may by certificate in writing suspend the operation of Regulation 1 (a) in respect of any humid shed for a period not exceeding two years from 1st April, 1912, if satisfied, after an inquiry at which the occupier and persons employed shall be heard, that all reasonably available means to keep down the temperature have been adopted, and that by reason of the circumstances of that humid shed it is not at all times practicable, notwithstanding the full use of such means, to prevent without cessation of artificial humidification, the wet-bulb reading of the hygrometer

\* Text E.B. VII., p. 307.

from exceeding 75 degrees. Any such certificate shall be subject to the condition that the arrangements for cooling the shed shall be kept in efficient working order, and used whenever necessary, and in the event of any contravention of this condition the certificate may at any time be revoked by notice in writing from the Chief Inspector of Factories.

#### *Definitions.*

For the purposes of these Regulations—

“Humid shed” means any room in which the weaving of cotton cloth is carried on with the aid of artificial humidification.

“Artificial humidification” means humidification of the air of a room by any artificial means whatsoever, except the use of gas or oil for lighting purposes only. Provided that in a room in which there are no distributing pipes or ducts, the introduction of air directly from the open air outside through mats or cloths moistened with cold water shall not, if adopted solely at times when the temperature of the room 70° or more, be deemed to be artificial humidification.

“Dry shed” means any room, other than a humid shed, in which the weaving of cotton cloth is carried on.

“Degrees” (of temperature) mean degrees on the Fahrenheit scale.

“Hygrometer” means an accurate wet-and-dry-bulb hygrometer, conforming to such conditions, as regards construction and maintenance, as the Secretary of State may prescribe by Order.

#### *Regulations.*

1. There shall be no artificial humidification in any humid shed—

(a) at any time when the wet-bulb reading of the hygrometer exceeds 75 degrees; or

(b) at any time when the wet-bulb reading of the hygrometer is higher than that specified in the Schedule of this Order in relation to the dry-bulb reading of the hygrometer at that time; or, as regards a dry-bulb reading intermediate between any two dry-bulb readings indicated consecutively in the Schedule, when the dry-bulb reading does not exceed the wet-bulb reading to the extent indicated in relation to the lower of those two dry-bulb readings; or

(c) at any time, after the first half-hour of employment in any day, when the dry-bulb reading of the hygrometer is below 50 degrees; or

(d) at any time, within the first half-hour of employment on any day, when the wet-bulb reading of the hygrometer is less than 2 degrees below the dry-bulb reading.

2. No water which is liable to cause injury to the health of the persons employed, or to yield effluvia, shall be used for artificial humidification, and for the purpose of this Regulation any water which absorbs from acid solution of permanganate of potash in four hours at 60 degrees more than 0.5 grain of oxygen per gallon of water, shall be deemed to be liable to cause injury to the health of the persons employed.

3. In each humid shed two hygrometers, and one additional hygrometer for every 500 or part of 500 looms in excess of 700 looms, shall be provided and maintained, in such positions as may be approved by the Inspector of the District.

A copy of the Schedule appended to this Order shall be kept affixed near to each hygrometer provided in pursuance of this Regulation.

4. In every humid shed the readings of each hygrometer provided in pursuance of Regulation 3 shall be observed on every day on which any workers are employed in the shed, jointly by representatives of the occupier and of the persons employed, between 7 and 8 a.m., between 11 a.m. and 12 noon, and (except on Saturday) between 4 and 5 p.m.

The prescribed Humidity Register shall be kept in the factory. If any readings taken as above are such as to indicate contravention of Regulation 1 or Regulation 5, the persons who have taken them shall forthwith enter and sign them in the prescribed Humidity Register, and a copy of each such entry shall also be sent forthwith, in the prescribed form, to the Inspector of the District.

At the end of each week the persons appointed to take the readings shall enter and sign in the prescribed Humidity Register a declaration that during the week the readings have been duly taken by them as required by this Regulation, and that (subject to any exception recorded as above) no readings have been such as to indicate contravention of Regulation 1 or Regulation 5.

The entries in the Humidity Register shall be *prima facie* evidence of the temperature and humidity of the air of the humid shed.

5. In every dry shed and in every humid shed the arrangements shall be such that (1) during working hours the temperature shall not at any time on that day be below 50 degrees, and (2) no person employed shall be exposed to a direct draught from any air inlet, or to any draught at a temperature of less than 50 degrees.

Provided that it shall be sufficient compliance with the requirement marked (1) in this Regulation if the heating apparatus be put into operation at the commencement of work, and if the required temperature be maintained after the expiration of half-an-hour from the commencement of work.

In a tenement factory it shall be the duty of the owner to provide and maintain the arrangements required for the purpose of the requirement marked (1) in this Regulation.

6. In a humid shed in which steam pipes are used for the introduction of steam for the purpose of artificial humidification of the air—

(a) the diameter of such pipes shall not exceed two inches ; and in the case of pipes hereafter installed the diameter shall not exceed one inch ;

(b) such pipes shall be as short as is reasonably practicable ;

(c) such pipes shall be effectively covered with insulating material kept in good repair, in such manner that the amount of steam condensed in the covered pipe shall not exceed one-fifth of the amount of steam condensed in the bare pipe under the same conditions ; and there shall be kept attached to the General Register a certificate from the manufacturer of the covering to the effect that a sample of the covering has been tested by an authority approved by the Chief Inspector of Factories and has been found to conform to the above standard ;

(d) all hangers supporting such pipes shall be separated from the bare pipes by an efficient insulator not less than half-an-inch in thickness ;

(e) no uncovered jet from such a pipe shall project more than 4½ inches beyond the outer surface of such covering ;

(f) the steam pressure shall be as low as practicable, and shall not exceed 70lb. per square inch.

7. In every humid shed hereafter erected—

(a) the average height of the shed shall not be less than 14½ feet, nor the height of the valley-gutters from the floor less than 12 feet ;

(b) the lights shall as far as possible face true North ; or if this be impracticable, between North-East and North-North-West ;

(c) the glass of the lights shall be at an angle of not more than 30 degrees to the vertical, except in the case of flat concrete or brick roofs ;

(d) the boiler-house and engine-room shall be separated from the shed by an alley-way, not less than 6 feet wide and either open to the outside air or provided with louvre or roof ventilators capable of being opened in summer and of an area equal to one quarter of the floor area of the alley-way ;

(e) no boiler flue shall pass under the shed, or within 6 feet horizontally from the wall of the shed.

8. In every humid shed and in every dry shed the whole of the outside of the roof (windows excepted) and the inside surface of the glass of the roof-windows shall be whitewashed every year before the 31st May, and the white-wash shall be effectively maintained until the 15th of September.

Provided that the above requirements of this Regulation, so far as regards roof-windows, may be suspended by certificate in writing from the Inspector of the District, if it is shown to his satisfaction that the roof-windows are so placed, or are so shaded by adjacent buildings, that the direct rays of the sun can never impinge upon them at any time during any day ; which certificate shall be kept attached to the General Register.

9. In every humid shed and in every dry shed the arrangements for ventilation shall be such that at no time during working hours shall the proportion of carbon dioxide in the air in any part of the shed exceed the limit specified below for that shed, namely,—

for humid sheds, eight	{	parts by volume of carbon dioxide
for dry sheds, eleven		per 10,000 parts of air in excess of the proportion in the outside air at the time.

Provided that—

(1) during any period in which it is necessary to use gas or oil for lighting purposes, and

(2) before the end of the dinner-hour on any day in which gas or oil has been so used,

it shall be sufficient compliance with this Regulation if means of ventilation sufficient to secure observance of the above requirement during daylight are maintained in full use and in efficient working order.

10. In every humid shed erected after 2nd February, 1898, sufficient and suitable cloak-room or cloak-rooms shall be provided for the use of all persons employed therein, and shall be ventilated and kept at a suitable temperature.

In every humid shed and dry shed to which the above provision does not apply and in which a suitable and sufficient cloak-room is not provided, suitable and sufficient accommodation within the shed shall be provided for the clothing of all persons employed, within a reasonable distance of the place of employment and consisting of a sufficient number of pegs, not less than one for each person employed and not less than eighteen inches apart, and of a covering

of suitable non-conducting material spaced not less than half-an-inch from the wall or pillar and so arranged that no moisture either from above, or from the wall or pillar, can reach the clothing.

### SCHEDULE.

HUMIDITY TABLE, FOR THE PURPOSES OF REGULATION I.

Dry-Bulb Readings.	Wet-Bulb Readings.	Dry-Bulb Readings.	Wet-Bulb Readings.
(1)	(2)	(1)	(2)
50°	48°	66°	64°
51°	49°	67°	65°
52°	50°	68°	66°
53°	51°	69°	67°
54°	52°	70°	68°
55°	53°	71°	68.5°
56°	54°	72°	69°
57°	55°	73°	70°
58°	56°	74°	70.5°
59°	57°	75°	71.5°
60°	58°	76°	72°
61°	59°	77°	73°
62°	60°	78°	73.5°
63°	61°	79°	74.5°
64°	62°	80°	75.0°
65°	63°		

**12. Order of the Secretary of State, dated 23rd December, 1911, applying the provisions of §116 of the Factory and Workshop Act, 1901 (1 Edw. 7., ch. 22), with modifications, to factories and workshops in which the making of files is carried on. (Statutory Rules and Orders, 1911 ; No. 1292.)**

In pursuance of §116 of the Factory and Workshop Act, 1901, I hereby make the following Order :—

The provisions of the said Section shall apply, subject to the modifications hereinafter contained, to factories and workshops or parts thereof in which is carried on the following class of work :—

#### *The Making of Files,*

and to outworkers employed in that class of work and to the occupiers or contractors by whom they are employed :—

The said Section shall be modified so as to read as follows :—

(1) The occupier or contractor shall, for the purpose of enabling each worker who is paid by the piece to compute the total amount of wages payable to him in respect of his work, cause to be published particulars of the rate of wages applicable to the work to be done, and also particulars of the work to which that rate is to be applied, as follows :—

(a) He shall furnish every worker with written particulars of the rate of wages applicable to the work done by him in one of the following ways :—

(i.) by furnishing the worker with such particulars on each occasion when the work is given out to the worker ;

(ii.) by furnishing the worker at or before the time of his first employment on any class of work with a notice containing the particulars applicable to that class of work, and on every subsequent occasion when new rates are fixed, a further notice stating the new rates and the date from which they are to come into operation. If the worker accidentally loses or destroys his notice, another copy shall be furnished to him by the employer free of charge.

(iii.) in the case of persons employed in a factory or workshop, by exhibiting such particulars in the factory or workshop on a placard containing no other matter than the rates of wages applicable to the work done in the factory or workshop, and posted in a position where it is easily legible by the workers.

(b) Such particulars of the work given out to be done by each worker as affect the amount of wages payable to him shall be furnished to him in writing at the time when the work is given out to him.

(c) The particulars, either as to rate of wages or as to work, shall not be expressed by means of symbols ; but this shall not prevent the occupier or contractor from describing any work which is of a standard kind known to the persons employed by a particular number, letter, or name, by means of such number, letter, or name.

(2) If the worker is required to return any written particulars or to hand them on with the work to another worker, either (a) a copy shall be furnished to the worker which he may retain for his own use, or (b) a book shall be supplied to the worker in which he may enter such particulars ; this book shall be produced by the worker for examination by the person receiving the work on behalf of the employer, who shall initial the entry if found correct.

(3) If the occupier or contractor fails to comply with the requirements of this Section, he shall be liable for each offence to a fine of not more than ten pounds, and, in the case of a second or subsequent conviction within two years from the last conviction for that offence, not less than one pound.

(4) If anyone engaged as a worker in the aforesaid class of work, having received such particulars, whether they are furnished directly to him or to a fellow workman, discloses the particulars for the purpose of divulging a trade secret, he shall be liable to a fine not exceeding ten pounds.

(5) If anyone for the purpose of obtaining knowledge of or divulging a trade secret, solicits or procures a person so engaged to disclose such particulars, or with that object pays or rewards any such person, or causes any person to be paid or rewarded for so disclosing such particulars, he shall be liable to a fine not exceeding ten pounds.

In this Order the term " outworker " means—

(a) any workman employed in the business of a factory or workshop outside the factory or workshop, whether directly by the occupier thereof or by any contractor employed by him.

(b) any workman employed by the occupier of any place from which work is given out or by a contractor employed by him in connection with the said work ;



(c) any contractor employed by the occupier of a factory or workshop on the business of the factory or workshop outside the factory or workshop, or employed by the occupier of a place from which work is given out in connection with the said work, except a contractor who does not personally do any part of the work which he undertakes.

Provided that in the last-mentioned case a person employing a contractor shall not be liable to a fine for any failure to furnish him with particulars, if he shows to the satisfaction of the Court that he had reasonable ground for believing that the contractor was the occupier of a factory or workshop and that the work given out would be wholly done by persons employed by the contractor and no part thereof by the contractor personally.

This Order shall come into force on 1st February, 1912.

**13. Order of the Secretary of State, dated 23rd December, 1911, applying the provisions of §116 of the Factory and Workshop Act, 1901 (1 Edw. 7, ch. 22), with modifications, to factories and workshops or parts thereof in which the manufacture of toy balloons, pouches and footballs from indiarubber is carried on. (Statutory Rules and Orders, 1911 ; No. 1293.)**

In pursuance of §116 of the Factory and Workshop Act, 1901, I hereby make the following Order :—

The provisions of the said Section shall apply, subject to the modifications hereinafter contained, to factories and workshops or parts thereof in which are carried on the following classes of work :—

*The Manufacture of Toy Balloons, Pouches and Footballs from Indiarubber.*

The said Section shall be modified so as to read as follows :—

(1) The occupier shall, for the purpose of enabling each worker who is paid by the piece to compute the total amount of wages payable to him in respect of his work, cause to be published particulars of the work and rate of wages applicable thereto, as follows :—

(a) He shall furnish every worker with written particulars of the rate of wages applicable to the work done by him in one of the following ways :—

(i.) by furnishing the worker with such particulars on each occasion when the work is given out to the worker ;

(ii.) by furnishing the worker at or before the time of his first employment on any class of work with a notice containing the particulars applicable to that class of work, and on every subsequent occasion when new rates are fixed, a further notice stating the new rates and the date from which they are to come into operation. If the worker accidentally loses or destroys his notice, another copy shall be furnished to him by the employer free of charge ;

(iii.) by exhibiting such particulars on a placard in the department in which the work is done.

(b) Such particulars of the work to be done by each worker as affect the amount of wages payable to him shall be furnished in writing at the time when the work is given out to him : provided that if particulars of the amount of work on which the worker is paid are not ascertainable until the work is completed, such particulars shall be furnished in writing to the worker when the work is completed.

(2) If the worker is required to return any written particulars or to hand them on with the work to another worker, either (a) a copy shall be furnished to the worker which he may retain for his own use, or (b) a book shall be supplied to the worker in which he may enter such particulars ; this book shall be produced by the worker for examination by the person receiving the work on behalf of the employer, who shall initial the entry if found correct.

(3) The particulars, either as to rates of wages or as to work, shall not be expressed by means of symbols.

(4) Any placard exhibited in pursuance of the foregoing provisions shall contain no other matter than particulars of rates of wages, and shall be affixed in such a position as to be easily read by all persons to whose work the particulars relate.

(5) If the occupier fails to comply with the requirements of this Section, he shall be liable for each offence to a fine of not more than ten pounds, and, in the case of a second or subsequent conviction within two years from the last conviction for that offence, not less than one pound.

(6) If anyone engaged as a worker in any of the aforesaid classes of work, having received such particulars, whether they are furnished directly to him or to a fellow workman, discloses the particulars for the purpose of divulging a trade secret, he shall be liable to a fine not exceeding ten pounds.

(7) If anyone for the purpose of obtaining knowledge of or divulging a trade secret, solicits or procures a person so engaged to disclose such particulars, or with that object pays or rewards any such person, or causes any person to be paid or rewarded for so disclosing such particulars, he shall be liable to a fine not exceeding ten pounds.

This Order shall come into force on the 1st February, 1912.

**14. Order of the Secretary of State, dated 23rd December, 1911, applying the provisions of §116 of the Factory and Workshop Act, 1901 (1 Edw. 7., ch. 22), with modifications, to factories and workshops which are laundries. (Statutory Rules and Orders, 1911 ; No. 1294.)**

In pursuance of §116 of the Factory and Workshop Act, 1901, I hereby make the following Order :—

The provisions of the said Section shall apply, subject to the modifications hereinafter contained, to factories and workshops which are laundries.

The said Section shall be modified so as to read as follows :—

(1) The occupier shall, for the purpose of enabling each worker who is paid by the piece to compute the total amount of wages payable to him in respect of his work, cause to be published particulars of the work and rate of wages applicable thereto, as follows :—

(a) He shall furnish every worker with written particulars of the rate of wages applicable to the work done by him in one of the following ways :—

(i.) by furnishing the worker with such particulars on each occasion when the work is given out to the worker ;

(ii.) by furnishing the worker at or before the time of his first employment on any class of work with a notice containing the particulars applicable to that class of work, and on every subsequent occasion when new rates are fixed, a further notice stating the new rates and the date from which they are to come into operation. If the worker accidentally loses or destroys his notice, another copy shall be furnished to him by the employer free of charge ;

(iii.) by exhibiting such particulars on a placard in the department in which the work is done.

(b) Such particulars of the nature and amount of the work to be done by each worker as affect the amount of wages payable to him shall be furnished in writing at the time when the work is given out to him. Provided that (i.) it shall not be necessary to furnish particulars of the nature of the work where the work is of a standard class which is sufficiently indicated by the materials given out and which is denoted in a placard exhibited as aforesaid and containing the rate of wage for the work by a description or name sufficiently indicating its nature ; (ii.) if particulars of the amount of work on which the worker is paid are not ascertainable until the work is completed, such particulars shall be furnished in writing to the worker when the work is completed.

(2) If the worker is required to return any written particulars, or to hand them on with the work to another worker, either (a) a copy shall be furnished to the worker which he may retain for his own use, or (b) a book shall be supplied to the worker in which he may enter such particulars ; this book shall be produced by the worker for examination by the person receiving the work on behalf of the employer, who shall initial the entry if found correct.

(3) The particulars, either as to rate of wages or as to work, shall not be expressed by means of symbols.

(4) Any placard exhibited in pursuance of the foregoing provisions shall contain no other matter than particulars of rates of wages or of work as the case may be, and shall be affixed in such a position as to be easily read by all persons to whose work the particulars relate.

(5) If the occupier fails to comply with the requirements of this Section, he shall be liable for each offence to a fine of not more than ten pounds, and, in the case of a second or subsequent conviction within two years from the last conviction for that offence, not less than one pound.

(6) If anyone engaged as a worker in any factory or workshop as aforesaid having received such particulars, whether they are furnished directly to him or to a fellow workman, discloses the particulars for the purpose of divulging a trade secret, he shall be liable to a fine not exceeding ten pounds.

(7) If anyone for the purpose of obtaining knowledge of or divulging a trade secret, solicits or procures a person so engaged to disclose such particulars, or with that object pays or rewards any such person, or causes any person to be paid or rewarded for so disclosing such particulars, he shall be liable to a fine not exceeding ten pounds.

This Order shall come into force on the 1st February, 1912.

**15. Regulations for cotton cloth factories. Hygrometers Order. (Dated 18th March, 1912.)**

16. Regulations, dated 11th April, 1912, made by the Secretary of State, for bronzing with dry metallic powders in letterpress printing, lithographic printing and coating of metal sheets. (Statutory Rules and Orders, 1912; No. 361.)

In pursuance of §79 of the Factory and Workshop Act, 1901, I hereby make the following Regulations and direct that they shall apply to all factories and workshops or parts thereof in which is carried on the process (in these Regulations referred to as bronzing) of applying dry metallic powders to, or dusting them off from, surfaces previously printed or otherwise prepared, in :—

Letterpress printing ; or  
Lithographic printing ; or  
Coating of metal sheets.

These Regulations shall come into force on 1st June, 1912.

#### *Exemptions.*

1. Regulation 2 shall not apply to bronzing by hand for the purpose of proof-pulling ;

2. Exemption shall be allowed from Regulation 2 on not more than two days in any week, and on not more than 50 days in any calendar year, subject to the following conditions :—

(a) notice, in the prescribed form, and with the prescribed particulars, shall be affixed in the factory or workshop not less than seven days before use is first made of the exemption, and shall be kept so affixed as long as the exemption is used ; and a copy of such notice shall at the same time be forwarded to the Inspector for the district ;

(b) the prescribed particulars shall be entered in the prescribed register before the commencement of the work on each day on which any use is made of the exemption ; and any day in respect of which such entry is made shall be counted as a day on which this exemption has been used ; and

(c) at least one day shall intervene between any two days on which this exemption is used.

#### *Definition.*

In these Regulations—

“ Efficient exhaust draught ” means localised ventilation effected by mechanical means for the removal of dust so as to prevent it as far as practicable from escaping into the air of any occupied room. No draught shall be deemed efficient which fails so to remove smoke generated at the point where such dust originates.

#### *Duties.*

It shall be the duty of the occupier to observe Part I. of these Regulations, and the conditions attached to Exemption 2 as above, if used by him.

It shall be the duty of every person employed to observe Part II. of these Regulations.

## PART I.—DUTIES OF OCCUPIERS.

1. Bronzing by machine shall not be done except under such conditions as to prevent as far as practicable the escape of dust into the air of any occupied room.

2. Subject to the exemptions hereinbefore mentioned, bronzing by hand shall not be done except in connection with—

(a) an efficient exhaust draught, or

(b) an appliance so constructed as to prevent as far as practicable the escape of dust into the air of any occupied room.

3. There shall be provided and maintained in a cleanly state and in good repair, for the use of all persons employed in bronzing, a lavatory, under cover, with a sufficient supply of clean towels, renewed daily, and of soap and nail-brushes, and with either—

(a) a trough with a smooth impervious surface, fitted with a waste pipe without plug, and of such length as to allow at least two feet for every five such persons, and having a constant supply of warm water from taps or jets above the trough at intervals of not more than two feet ; or

(b) at least one lavatory basin for every five such persons, fitted with a waste pipe and plug or placed in a trough having a waste pipe, and having either a constant supply of hot and cold water or warm water laid on, or (if a constant supply of heated water be not reasonably practicable) a constant supply of cold water laid on and a supply of hot water always at hand when required for use by such persons.

4. There shall be provided—

(a) suitable overalls for all persons employed in bronzing, and head-coverings for females employed in bronzing, which shall be collected at the end of every day's work, and be washed or renewed at least once every week ;

(b) for all persons employed in bronzing, a suitable place or places for clothing put off during working hours.

## PART II.—DUTIES OF PERSONS EMPLOYED.

5. Every person employed in bronzing shall—

(a) wash the face and hands before partaking of any food or leaving the premises ;

(b) wear the overalls provided in pursuance of Regulation 4 (a) ;

(c) deposit clothing put off during working hours in the place or places provided in pursuance of Regulation 4 (b) ;

and every female employed in bronzing shall wear the head-coverings provided in pursuance of Regulation 4 (a).

6. No person employed shall—

(a) introduce, keep, prepare, or partake of any food or drink (other than milk or tea provided by the occupier) in any part of the factory or workshop in which bronzing is carried on ;

(b) make use of tobacco in any part of the factory or workshop in which bronzing is being carried on ;

(c) interfere in any way without the concurrence of the occupier or manager with the means and appliances provided for the removal of dust, and for carrying out these Regulations.

### III. British Colonies

#### 1. GIBRALTAR.

1. An Ordinance to amend the Merchant Shipping Ordinance, Gibraltar, 1886 (No. 3 of 1909.) 31st March, 1909.
2. An Ordinance to prohibit the manufacture, sale and importation of matches made with white phosphorus, and for other purposes in connection therewith. (No. 2 of 1910.) 2nd March, 1910.
  1. This Ordinance may be cited as "The White Phosphorus Matches Prohibition Ordinance, Gibraltar, 1910."
  2. For the purposes of this Ordinance the expression "white phosphorus" means the substance usually known as white or yellow phosphorus.
  3. (1) It shall not be lawful for any person to use white phosphorus in the manufacture of matches.  
 (2) The occupier of any factory in which the manufacture of matches is carried on shall allow any inspector of police at any time to take for analysis sufficient samples of any material in use or mixed for use :  
 Provided that the occupier may, at the time when the sample is taken, and on providing the necessary appliances, require the inspector of police to divide the sample so taken into two parts and to mark, seal, and to deliver to him one part.
  4. It shall not be lawful for any person to sell or to offer or expose for sale or to have in his possession for the purposes of sale any matches made with white phosphorus, but this provision shall not come into operation as respects any retail dealer until the first day of January, nineteen hundred and eleven.
  5. It shall not be lawful to introduce or attempt to introduce into Gibraltar matches made with white phosphorus.
  6. Any person offending against the provisions of this Ordinance or interfering with or obstructing the police in the execution of their duty shall, on summary conviction, be liable to a penalty not exceeding fifty pounds, and all white phosphorus or matches made with white phosphorus found in his possession may be seized by any officer of police, and may be forfeited and destroyed by order of the court.
  7. All penalties under this Ordinance shall be recoverable summarily in manner directed by "The Justices Ordinance, Gibraltar, 1890."
  8. This Ordinance shall come into operation forthwith.

#### 2. AUSTRALIA

##### I. COMMONWEALTH.

1. An Act to amend the Immigration Restriction Acts, 1901-1905.\* (No. 25 of 1908.) (Assented to 14th December, 1908.)
2. An Act to grant and apply out of the Consolidated Revenue Fund the sum [of £1,000,000 for Invalid and Old Age Pensions. (No. 2 of 1909.) (Assented to 4th August, 1909.)

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\* Act of 21st December, 1905. Extract E.B. IV., p. 17.

**3. An Act to amend the definition of the word "Income" in the Invalid and Old Age Pensions Act, 1908.\* (No. 21 of 1909.) (Assented to 13th December, 1909.)**

1. (1) This Act may be cited as the Invalid and Old Age Pensions Act, 1909, No. 2.

(2) Sub-section (3) of §1 of the Invalid and Old Age Pensions Act, 1909,† is repealed.

(3) The Invalid and Old Age Pensions Act, 1908, as amended by the Invalid and Old Age Pensions Act, 1909,† and by this Act, may be cited as the Invalid and Old Age Pensions Act, 1908-1909.

2. The definition of the word "Income" in §4 of the Invalid and Old Age Pensions Act, 1908, is amended—

(a) by adding to paragraph (b) thereof at the end of that paragraph the word "or," and

(b) by inserting after paragraph (b) the following paragraph :

"(c) By way of allowance under the Miners Accident Relief Act, 1900, of the State of New South Wales."

**4. An Act to amend the Australian Industries Preservation Acts, 1906-1907. (No. 26 of 1909.) (Assented to 13th December, 1909.)**

**5. An Act relating to compensation to seamen for injuries suffered in the course of their employment (No. 29 of 1909). (Assented to 13th December, 1909.)**

**6. An Act to grant and apply out of the Consolidated Revenue Fund a sum for Invalid and Old Age Pensions (No. 4 of 1910). (Assented to 9th August, 1910.)**

**7. An Act to amend the Immigration Restriction Act, 1901-1908 (No. 10 of 1910). (Assented to 16th September, 1910.)**

**8. The Immigration Restriction Act, 1901 (No. 17 of 1901)‡ as amended by the Immigration Restriction Amendment Act, 1905 (No. 17 of 1905).\*\* by the Contract Immigrants Act, 1905 (No. 19 of 1905)\*†, by the Immigration Restriction Act, 1908 (No. 25 of 1908)\*‡, and by the Immigration Restriction Act, 1910 (No. 10 of 1910).††**

**9. An Act to amend the Sugar Bounty Act, 1905. (No. 16 of 1910). (Assented to 25th October, 1910.)**

1. (1) This Act may be cited as the Sugar Bounty Act, 1910.

(2) The Sugar Bounty Act, 1905, as amended by this Act, may be cited as the Sugar Bounty Act, 1905-1910.

2. §3 of the Sugar Bounty Act, 1905, is amended by omitting therefrom the following words : "and before the first day of January, One thousand nine hundred and thirteen."

\* Text E.B. III., p. 245.

† Text E.B. V., p. 252.

‡ Assented to 23rd December, 1901. The title of the principal Act is : "An Act to place certain restrictions on immigration and to provide for the removal from the Commonwealth of prohibited immigrants."

\*\* Assented to 21st December, 1905.

\*† Assented to 21st December, 1905.

\*‡ Assented to 14th December, 1908 (Title E.B. VII., p. 323).

†† See above, No. 7.

3. §6 of the Sugar Bounty Act, 1905, is amended by omitting therefrom the following proviso :—

“ Provided that the rates payable on all such cane or beet delivered during the years 1911 and 1912 shall be respectively two-thirds and one-third of the aforesaid rates.”

4. §9 of the Sugar Bounty Act, 1905, is repealed, and the following Section substituted in lieu thereof :—

“ 9 (1) Every grower of white-grown sugar cane or beet who claims the bounty payable under this Act shall, in making his claim, certify to the Minister the conditions of employment and the rates of wages paid to any labour employed by him, other than the labour of members of his family.”

(2) If the Minister finds that the rates of wages and conditions of employment, or any of them—

(a) are below the standard rates and conditions of employment prescribed by any Commonwealth or State industrial authority ; or

(b) in the absence of any such standard applicable to the case, are below the standard rates payable and conditions of employment obtainable in the locality in which the sugar is grown ; or

(c) in the absence of any such standard rates and conditions of employment respectively, are, on application by the Minister to the President of the Commonwealth Court of Conciliation and Arbitration, declared not to be fair and reasonable by him or by a Judge of the Supreme Court of a State, or any person or persons who compose a State industrial authority to whom he may refer the matter, the Minister may withhold the whole or any part of the bounty payable.

(3) All the provisions of the Excise Procedure Act, 1907, and of any regulations made thereunder shall apply in relation to any application under paragraph (c) of the last preceding Sub-section as if the application were an application as defined in that Act, and the application shall, for the purposes of that Act, be deemed to be an application under that Act :

Provided that §4 of that Act shall be read as if the words ‘ claimant for bounty ’ were substituted for the word ‘ applicant.’ ”

10. **Provisional Regulations under the Immigration Restriction Act, 1901-1910\*** (Statutory Rules 1910, No. 108). (29th October, 1910.)

11. **An Act to provide for the payment of bounties on the manufacture of kerosene and paraffin wax from Australian shale.** (No. 23 of 1910). (Assented to 17th November, 1910.)

[EXTRACT.]

1. This Act may be cited as the Shale Oils Bounties Act, 1910.

6. (1) The person claiming any bounty under this Act shall in making his claim certify to the Minister the conditions of employment obtaining, and the rates of wages paid by him to employees in connection with the production and manufacture of the goods on which the bounty is claimed.

(2) If the Minister finds that the rates of wages and conditions of employment, or any of them—

(a) are below the standard prescribed by any Commonwealth or State industrial authority ; or,

(b) in the absence of any such standard applicable to the case, are below the standard applicable in the same State for similar work ; or,

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\* Title E.B. VII., p. 324, No. 8.



(c) in the absence of any of such standards, are, on application by the Minister to the President of the Commonwealth Court of Conciliation and Arbitration, declared not to be fair or reasonable by him, or by a Judge of the Supreme Court of a State, or any person or persons who composed a State industrial authority, to whom he may refer the matter,

the Minister may withhold the whole or any part of the bounty payable.

(3) All the provisions of the Excise Procedure Act, 1907, and of any regulations made thereunder, shall apply in relation to any application under paragraph (c) of the last preceding Sub-section as if the application were an application as defined in that Act, and the application shall, for the purposes of that Act, be deemed to be an application under that Act :

Provided that §4 of that Act shall be read as if the words "claimant for bounty" were substituted for the word "applicant."

9. A return setting forth—

(e) the number of persons employed in each of the works, wages paid, and hours observed in the production of the goods, shall be prepared in the month of July in each year, and shall be laid before both Houses of the Parliament within 30 days after its preparation, if the Parliament is then sitting, and if not, then within 30 days after the next meeting thereof.

10. The Governor-General may make Regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed or are necessary or convenient to be prescribed for giving effect to this Act, and in particular for any of the following purposes : . . .

(c) For providing for the inspection of the process of manufacture and the books of the manufacturer for the purpose of ascertaining and reporting on the conditions of employment obtaining, the rates of wages paid, and the cost of the production and manufacture of the goods.

## **12. An Act relating to the emigration from Australia of young persons and aboriginal natives. (No. 26 of 1910). (Assented to 25th November, 1910.)**

### **[EXTRACT.]**

2. In this Act, unless the contrary intention appears—

"Aboriginal native" means an aboriginal native of Australia and includes any native having one aboriginal parent ;

"Child" means a child under the age of 18 years in the case of a female child, and 16 years in the case of a male child ; . . .

3. (1) The emigration from, or taking out of, the Commonwealth, except in pursuance of a permit under this Act, of any of the following persons is prohibited—

(a) any child who is under contract to perform theatrical, operatic, or other work outside the Commonwealth ;

(b) any child of European race or extraction unless in the care or charge of some adult person of European race or extraction ; and

(c) any aboriginal native.

(2) Any person who takes or attempts to take any child or aboriginal native out of the Commonwealth in contravention of this Section shall be guilty of an offence against this Section.

(3) Proceedings for an offence against this Section may be instituted for the summary conviction of the accused or for his commitment for trial on indictment.

(4) A person convicted of an offence against this Section shall be punishable as follows :—

(a) if convicted on indictment, by imprisonment not exceeding two years, or by a penalty not exceeding two hundred pounds ;

(b) if convicted by a court of summary jurisdiction, by imprisonment not exceeding six months, or by a penalty not exceeding one hundred pounds.

(5) No permit shall be given under paragraphs (a) and (b) of Subsection (1) of this Section, unless the Minister or authorised officer is satisfied that the child will not be subject to conditions liable to be detrimental to its welfare.

6. [Contracts to be in writing.]

10.-13 [Inspection.]

18. An Act to amend the Australian Industries Preservation Act, 1906-1909 (No. 29 of 1910). (Assented to 25th November, 1910.)

14. The Australian Industries Preservation Act, 1906\* (No. 9 of 1906), as amended by the Australian Industries Preservation Act, 1907\* (No. 5 of 1908), by the Australian Industries Preservation Act, 1909† (No. 26 of 1909), and by the Australian Industries Preservation Act, 1910‡ (No. 29 of 1910).

[EXTRACT.]\*\*

#### PART I.—PRELIMINARY.

1. This Act may be cited as the "Australian Industries Preservation Act, 1906."\*†

2. This Act is divided into Parts as follows :—

*Part I.*—Preliminary.

*Part II.*—Repression of Monopolies.

*Part III.*—Prevention of Dumping.

3. In this Act, unless the contrary intention appears—

"Commercial Trust" includes a combination, whether wholly or partly within or beyond Australia, of separate and independent persons (corporate or unincorporate) whose voting power or determinations are controlled or controllable by—

(a) the creation of a trust as understood in equity, or of a corporation, wherein the trustees or corporation hold the interests, shares, or stock of the constituent persons ; or

(b) an agreement ; or

(c) the creation of a board of management or its equivalent ; or

(d) some similar means ;

and includes any division, part, constituent person, or agent of a Commercial Trust.

\* Text E.B. III., p. 237.

† Title E.B. VII., p. 324, No. 4.

‡ Title E.B. VII., p. 324, No. 5.

\*\* Parts I. and II. are printed in full ; Part III. is omitted.

\*† The Australian Industries Preservation Act, 1906, and the Australian Industries Preservation Act, 1907, may together be cited as the Australian Industries Preservation Acts, 1906-1907. See Act No. 5, 1908, s. 1.

"Inadequate remuneration for labour" includes inadequate pay or excessive hours or any terms or conditions of labour or employment unduly disadvantageous to workers ;

"Person" includes corporation and firm and a Commercial Trust ;

"The Comptroller-General" means the Comptroller-General of Customs ;

"Answer questions" means that the person on whom the obligation of answering questions is cast shall, to the best of his knowledge, information, and belief, truly answer all questions on the subject mentioned that the Comptroller-General or the person named by him shall ask ;

"Produce documents" means that the person on whom the obligation to produce documents is cast shall to the best of his power produce to the Comptroller-General or to the person named by him all documents relating to the subject-matter mentioned.

## PART II.—REPRESSION OF MONOPOLIES.

4. (1) Any person who, either as principal or as agent, makes or enters into any contract, or is or continues to be a member of or engages in any combination, in relation to trade or commerce with other countries or among the States—

(a) in restraint of or with intent to restrain trade or commerce ; or

(b) to the destruction or injury of or with intent to destroy or injure by means of unfair competition any Australian industry the preservation of which is advantageous to the Commonwealth, having due regard to the interests of producers, workers, and consumers, is guilty of an offence.

Penalty : Five hundred pounds, or in case of a continuing offence, five hundred pounds for each day during which the offence continues.

(2) Every contract made or entered into in contravention of this Section shall be absolutely illegal and void.

(3) It shall be a defence to a proceeding for an offence under paragraph (a) of Sub-section (1) of this Section, and an answer to an allegation that a contract was made or entered into in restraint of or with intent to restrain, trade or commerce, if the party alleged to have contravened this Section proves—

(a) that the matter or thing alleged to have been done in restraint of, or with intent to restrain, trade or commerce, was not to the detriment of the public, and

(b) that the restraint of trade or commerce effected or intended was not unreasonable.

6. (1) For the purposes of §§4 and 10 unfair competition means competition which is unfair in the circumstances ; and in the following cases the competition shall be deemed to be unfair unless the contrary is proved :

(a) If the defendant is a Commercial Trust ;

(b) If the competition would probably or does in fact result in an inadequate remuneration for labour in the Australian industry ;

(c) If the competition would probably or does in fact result in creating substantial disorganisation in Australian industry or throwing workers out of employment ;

(d) If the defendant, with respect to any goods or services which are the subject of the competition, gives, offers, or promises to any person any rebate, refund, discount, or reward upon condition that that person deals, or in consideration of that person having dealt, with the defendant to the exclusion of other persons dealing in similar goods or services.

(2) In determining whether the competition is unfair, regard shall be had to the management, the processes, the plant, and the machinery employed or adopted in the Australian industry affected by the competition being reasonably efficient, effective, and up-to-date.

7. (1) Any person who monopolises or attempts to monopolise, or combines or conspires with any other person to monopolise, any part of the trade or commerce with other countries or among the States, is guilty of an indictable offence.

**Penalty:** Five hundred pounds for each day during which the offence continues, or one year's imprisonment or both; or in the case of a corporation, one thousand pounds for each day during which the offence continues.

(2) Every contract made or entered into in contravention of this Section shall be absolutely illegal and void.

(3) The Attorney-General may elect, instead of proceeding by indictment for an offence against this Section, to institute proceedings in the High Court by way of civil action for the recovery of the pecuniary penalties for the offence: in which case the action shall be tried before a justice of that Court without a jury.

7A. (1) Any person who, in relation to trade or commerce with other countries or among the States, either as principal or agent, in respect of dealings in any goods or services, gives, offers, or promises to any other person any rebate, refund, discount, concession or reward, for the reason, or upon the condition express or implied, that the latter person—

(a) deals, or has dealt, or will deal, or intends to deal, exclusively with any person, either in relation to any particular goods or services or generally; or

(b) deals, or has dealt, or will deal, or intends to deal, exclusively with members of a Commercial Trust, either in relation to any particular goods or services or generally; or

(c) does not deal, or has not dealt, or will not deal, or does not intend to deal, with certain persons, either in relation to any particular goods or services or generally; or

(d) is or becomes a member of a Commercial Trust—  
is guilty of an offence.

**Penalty:** Five hundred pounds.

(2) Every contract made or entered into in contravention of this Section shall be absolutely illegal and void.

(3) It shall be a defence to a prosecution under this Section, and an answer to an allegation that a contract was made or entered into in contravention of this Section, if the party alleged to have contravened this Section proves that the matter or thing alleged to have been done in contravention of this Section was not to the detriment of the public, and did not constitute competition which was unfair in the circumstances, and was not destructive of or injurious to any Australian industry.

7B. Any person who, in relation to trade and commerce with other countries or among the States, either as principal or agent, refuses either absolutely or except upon disadvantageous conditions to sell or supply to any other person any goods or services for the reason that the latter person—

(a) deals, or has dealt, or will deal, or intends to deal with any person ; or

(b) deals, or has dealt, or will deal, or intends to deal with persons who are not members of a Commercial Trust ; or

(c) is not a member of a Commercial Trust,  
is guilty of an offence.

Penalty : Five hundred pounds.

10. (1) The Attorney-General, or any person thereto authorised by him, may institute proceedings in the High Court to restrain by injunction after hearing and determining the merits and not by way of interlocutory order the carrying out of any contract made or entered into after the commencement of this Act or any combination which—

(a) is in restraint of trade or commerce ; or

(b) is destructive or injurious, by means of unfair competition, to any Australian industry the preservation of which is advantageous to the Commonwealth, having due regard to the interests of producers, workers, and consumers.

Provided that this Section shall only apply to contracts or combinations in relation to commerce with other countries or among the States.

(2) On the conviction of any person for an offence under this Part of this Act the Justice before whom the trial takes place shall, upon application by or on behalf of the Attorney-General or any person thereto authorised by him, grant an injunction restraining the convicted person and his servants and agents from the repetition or continuance of the offence of which he has been convicted.

10A. (1) Any person who does any act or thing in disobedience of an injunction granted under this Part of this Act shall be guilty of an offence.

Penalty : Five hundred pounds for each day during which the offence continues.

(2) This Section shall not be deemed to derogate from the power of the High Court, apart from this Section, to enforce obedience to the injunction.

11. (1) Any person who is injured in his person or property by any other person, by reason of any act or thing done by that other person in contravention of this Part of this Act, or by reason of any act or thing done in contravention of any injunction granted under this Part of this Act, may, in the High Court, before a Justice without a jury, sue for and recover treble damages for the injury.

(2) No person shall, in any proceeding under this Section, be excused from answering any question put either *vivâ voce* or by interrogatory, or from making any discovery of documents, on the ground that the answer or discovery may criminate or tend to criminate him ; but his answer shall not be admissible in evidence against him in any criminal proceeding other than a prosecution for perjury.

12. The jury panel for the trial of any offence against this Part of this Act, or for the trial of any action or issue under this Part of this Act, shall be taken from the list of special jurors (if any) in the State or part of the Commonwealth in which the trial takes place.

13. (1) Proceedings for the recovery of pecuniary penalties for offences against this Part of this Act (other than indictable offences or offences against §15B, §15C, or §15E) shall be instituted in the High Court by way of civil action, and shall be tried before a Justice of that Court without a jury.

(2) Any offence against this Part of this Act committed by a person who has previously been convicted of any offence against this Part of this Act shall be an indictable offence, punishable on conviction by a penalty not exceeding five hundred pounds, or imprisonment for any term not exceeding one year, or both; in the case of a corporation, by a penalty not exceeding one thousand pounds.

14. (1) No proceeding for an indictable offence or for the recovery of penalties shall be instituted under this Part except by the Attorney-General or some person authorised by him.

(2) No other proceeding shall be instituted under this Part without the written consent of the Attorney-General.

14A. In any proceeding for an offence against this Part of this Act, any indictment, information, statement of claim, conviction, warrant, or other process shall suffice if the offence is set forth as nearly as may be in the words of this Act.

14B. No person shall, in any proceeding for an offence against this Part of this Act, be excused from answering any question, put either *vivâ voce* or by interrogatory, or from making any discovery of documents, on the ground that the answer or discovery may tend to criminate him or make him liable to a penalty; but his answer shall not be admissible in evidence against him in any civil or criminal proceeding other than a proceeding for an offence against this Act or a prosecution for perjury.

14C. In any proceeding for an offence against this Part of this Act, wherein a combination or conspiracy or attempted combination or conspiracy in contravention of this Act is alleged, any book, document, paper or writing containing—

(a) any minute, note, record or memorandum of any proceeding at any meeting of the persons or any of the persons alleged to have been parties or privy to the combination, conspiracy or attempt; or

(b) any entry purporting to be a copy of or extract from any such book document paper or writing,

shall, upon proof that it was produced by or came from the custody of those persons or any of them, or of a responsible officer or a representative of those persons or any of them,—

(i.) be admissible in evidence against those persons; and

(ii.) be evidence that the matter and things thereby appearing to have been done by those persons or any of them were so done, and that any person thereby appearing to have been present at the meeting was so present.

14D. In any proceeding for an offence against this Part of this Act, any book, letter, document, paper, or writing, or anything purporting to be a copy of or extract from any book, letter, document, paper, or writing, containing any reference to any matter or thing alleged to be done in contravention of this Act, shall, upon proof that it was produced by or came from the custody of a person charged with the offence, or a responsible officer or a representative of that person—

• (a) be admissible in evidence against that person; and

(b) be evidence of the matters and things thereby appearing, and that the book letter document paper or writing (or, in the case of a copy, that the original thereof) was written, signed, despatched and received by the persons by whom it purports to have been written, signed, despatched and received, and that any such copy or extract is a true copy of or extract from the original of or from which it purports to be a copy or extract.

15. (1) Any person party to a contract or member of a combination or in any way concerned in carrying out the contract or the objects of the combination may—

(a) lodge with the Attorney-General a statutory declaration by himself, or in the case of a corporation by some one approved of in that behalf by the Attorney-General, setting forth truly, fully and completely, the terms and particulars of the contract, or the purposes objects and terms of agreement or constitution of the combination, as the case may be, and an address in Australia to which notices may be sent by the Attorney-General; and

(b) publish the statutory declaration in the *Gazette*.

(2) The Attorney-General may at any time send notice to the person above-mentioned (hereinafter called the declarant), to the address mentioned in the statutory declaration, that he considers the contract or combination likely to restrain trade or commerce to the detriment of the public, or to destroy or injure an Australian industry by unfair competition.

(3) In any proceeding against the declarant in respect of any offence against §4 of this Act, alleged to have been committed by him in relation to the contract or combination after the time the statutory declaration has been lodged and published, and before any notice as aforesaid has been sent to him by the Attorney-General, it shall be deemed (but as regards the declarant only and not as regards any other person) that the declarant had no intent to contravene the provisions of the Section, if he proves that the statutory declaration contains a true full and complete statement of the terms and particulars of the contract, or the purposes, objects and terms of agreement or constitution of the combination, as the case may be, at the date of the statutory declaration and at the date of the alleged offence.

15A. In any prosecution for an offence against §§4, 7, 7A, 7B or 9 of this Act the averments of the prosecutor contained in the information declaration or claim shall be deemed to be proved in the absence of proof to the contrary, but so that—

(a) the averment in the information of intent shall not be deemed sufficient to prove such intent, and

(b) in all proceedings for an indictable offence the guilt of the defendant must be established by evidence.

15B. (1) If the Comptroller-General believes that an offence has been committed against this Part of this Act, or if a complaint has been made in writing to the Comptroller-General that an offence has been committed against this Part of this Act and the Comptroller-General believes that the offence has been committed, he may by writing under his hand require any person whom he believes to be capable of giving any information in relation to the alleged offence to answer questions and to produce documents to him or to some person named by him in relation to the alleged offence.

(2) No person shall refuse or fail to answer questions or produce documents when required to do so in pursuance of this Section.

Penalty : Fifty pounds.

(3) The Comptroller-General or any person to whom any documents are produced in pursuance of this Section may take copies of or extracts from those documents.

(4) No person shall be excused from answering any questions or producing any documents when required to do so under this Section on the ground that the answer to the question or the production of the document might tend to criminate him or make him liable to a penalty ; but his answer shall not be admissible in evidence against him in any civil or criminal proceeding other than a proceeding for an offence against this Part of this Act.

15C. (1) Whenever a complaint on oath has been made in writing to the Comptroller-General that any person or any foreign corporation or any trading or financial corporation formed within the Commonwealth has been guilty of any offence against this Part of this Act, the Comptroller-General, if he believes the complaint to be well founded, may, by writing, require any such person or foreign corporation or trading or financial corporation or any member, officer or agent of any such corporation, to produce and hand over to him or to some person appointed by him in writing all books and documents relating to the subject-matter of the complaint and all books and documents of any kind whatsoever wherein any entry or memorandum appears in any way relating to the subject-matter of the complaint.

(2) Every person or foreign corporation, or trading or financial corporation, required by the Comptroller-General as aforesaid to produce to him or to some person appointed by him in writing any books or documents shall forthwith produce and hand over such books or documents accordingly.

Penalty : One hundred pounds.

(3) The Comptroller-General or any person appointed by him in writing may inspect all books and documents produced in pursuance of this Section and may make copies of or extracts from those books or documents.

15D. The Comptroller-General may impound or retain any book or document produced to him or to any person so appointed by him in pursuance of the preceding Section, but the person or corporation otherwise entitled to such book or document shall in lieu thereof be entitled to a copy certified as correct by the Comptroller-General, and such certified copy shall be receivable in all Courts as evidence and of equal validity with the original. And until such certified copy is supplied the Comptroller-General may at such times and places as he shall think proper permit such person, or in the case of a corporation any person appointed for the purpose by the corporation, to inspect and take extracts from the books or documents so impounded or retained.

15E. No person shall disclose any information gained by him in the exercise of the powers conferred by the last three preceding Sections, except—

(a) to the Attorney-General or some person authorised by him

(b) to the Comptroller-General ;

(c) when giving evidence in any proceeding for an offence against this Part of this Act.

Penalty : Fifty pounds.



**15. An Act relating to the Commonwealth Court of Conciliation and Arbitration and the Public Service of the Commonwealth (No. 11 of 1911). (Assented to 18th December, 1911.)**

1. This Act may be cited as the " Arbitration (Public Service) Act, 1911."

2. In this Act—

" Organisation " means an organisation within the meaning of the Commonwealth Conciliation and Arbitration Act, 1904-1911 :\*

" The Court " means the Commonwealth Court of Conciliation and Arbitration :

" The Public Service of the Commonwealth " includes the Public Service of the Northern Territory and of the Territory of the seat of Government, and the service of any public institution or authority of the Commonwealth, and includes all persons employed in any such service in any capacity, whether permanently or temporarily, and whether under the Commonwealth Public Service Act, 1902-1909 or not, but does not include persons employed in the Naval or Military Forces only.

3. Employees in the Public Service of the Commonwealth, or any division, class, grade or branch thereof, or in any calling, service, handicraft, occupation, or avocation in the Public Service of the Commonwealth, or any division, class, grade, or branch thereof, shall be deemed to be employees in an industry within the meaning of the Commonwealth Conciliation and Arbitration Act, 1904-1911.

4. An association of less than one hundred employees in an industry in the Public Service of the Commonwealth may be registered under the Commonwealth Conciliation and Arbitration Act 1904-1911 as an organisation if its membership comprises at least three-fifths of all the persons who are employees in that industry in the Public Service of the Commonwealth.

5. An organisation of employees in the Public Service of the Commonwealth shall be entitled to submit to the Court by plaint any claim relating to the salaries, wages, rates of pay, or terms or conditions of service or employment of members of the organisation, and the Court shall thereupon have cognisance of the claim as if it were an industrial dispute within the meaning of the Commonwealth Conciliation and Arbitration Act 1904-1911.

(2) The Public Service Commissioner and the Minister of any Department of State affected by the claim shall be entitled to be represented before the Court, either jointly or separately, in the hearing and determination of the claim.

6. The Court shall, as regards any claim of which it has cognisance under this Act, have power—

(a) to hear and determine the claim ;

(b) to make any order or award or give any direction in pursuance of the hearing or determination ;

(c) to fix maximum penalties, not exceeding Ten pounds, for any breach or non-observance, by any member of an organisation bound by an award or order, of any term of the award or order ;

(d) impose penalties, not exceeding the maximum penalties fixed (or, if maximum penalties have not been fixed, not exceeding the maximum penalties which might have been fixed), for any such breach or non-observance ;

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\* See E.B. VII., pp. 112, 114, 117.

(e) to declare, by any award or order, that any term of an award shall, subject to such conditions, exceptions, and limitations as are declared in the award or order, be a common rule of the Public Service or of any branch or part of the Public Service ;

(f) to vary its orders and awards and to re-open any question ;

(g) to summon any witness before it, and to compel the production before it of books, documents, and things for the purpose of reference to such matters only as relate to the matter of the claim ;

(h) to take evidence on oath or affirmation ;

(i) to allow the amendment of the claim or of any subsequent proceedings ; and

(j) generally to give all such directions and do all such things as it deems necessary or expedient in the premises.

7. (1) The Court may refer any claim, of which it has cognisance under this Act, or any matter arising out of the claim, to a Judge of a State Court, or a Police Stipendiary or Special Magistrate of the Commonwealth or of a State, or other person authorised by the Governor-General in that behalf, for investigation and report, or for hearing and determination, and may delegate to that Judge, Magistrate, or person such of its powers as it deems desirable.

(2) Where the Court has referred a claim or matter under this Section, for investigation and report, the Court may, on the report, with or without hearing further evidence or argument or both, decide the claim and make its award.

(3) Where the Court has referred a claim or matter under this Section for hearing and determination, the award of the Judge, Magistrate, or person to whom the claim or matter was referred shall have effect as the award of the Court :

Provided that an appeal from the award shall lie to the Court, at the instance of a claimant organisation, or of the Public Service Commissioner, or of the Minister of a Department affected by the award.

8. The Public Service Commissioner, and the Permanent Heads and Chief Officers of the several Departments of State, and all persons in the Public Service of the Commonwealth, shall comply with the provisions of any award or order of the Court made in pursuance of this Act.

9. The Court may exercise any of its powers under this Act on its own motion, or on the application of a claimant organisation, or of a Minister of State or the Public Service Commissioner.

10. In making an award or order under this Act, the Court shall not be restricted to the specific claims made or to the subject-matter of the claim, but may include in the award or order any matter or thing which the Court thinks necessary in the interests of the public or of the Public Service.

11. No costs shall be allowed in respect of any proceedings under this Act.

12. No organisation or person shall in any proceeding under this Act be represented by counsel or solicitor.

13. No award, order, or direction of the Court made under this Act shall be challenged, appealed against, reviewed, quashed, or called in question, or be subject to prohibition or mandamus, in any other Court on any account whatever.

14. (1) Every award made under this Act shall be expressed not to come into operation until a future date, not earlier than after the expiration of thirty days after the award has been laid before both Houses of the Parliament.

(2) When an award has been made under this Act, the President of the Court shall forthwith send to the Prime Minister and to the Attorney-General a certified copy of the award.

(3) The Prime Minister shall, within fourteen days after its receipt, if the Parliament is then sitting, or if not then within fourteen days after the next meeting of the Parliament, cause the award to be laid before both Houses of the Parliament.

15. (1) Except as provided in this Section, this Act shall not empower the Court to make any award or order, or give any direction which is not in accord with the laws of the Commonwealth and the regulations made thereunder.

(2) The Court may, where it thinks it proper to do so, make an award which, in the opinion of the President of the Court, is not, or may not be, in accord with a law or regulation of the Commonwealth relating to the salaries, wages, rates of pay, or terms or conditions of service or employment of employees; but in that case the President shall send to the Prime Minister and to the Attorney-General, with the certified copy of the award, a statement of the laws or regulations of the Commonwealth with which, in his opinion, it is not, or may not be, in accord.

(3) The Prime Minister shall, within fourteen days after its receipt, if the Parliament is then sitting, or if not then within fourteen days after the next meeting of the Parliament, cause the award and the statement (if any) of the President to be laid before both Houses of the Parliament.

(4) If, before the award is laid before the Parliament, the Attorney-General advises the Prime Minister that in his opinion the award is not in accord with any law or regulation of the Commonwealth referred to in the opinion, the Prime Minister shall cause the opinion to be laid, together with the award, before both Houses of the Parliament.

(5) If, in the case of an award accompanied by such a statement of the President, or opinion of the Attorney-General, as is above referred to, either House of the Parliament, within thirty days after the award, with the statement or opinion, has been laid before both Houses, passes a resolution disapproving the award, the award shall not come into operation.

(6) Except as provided in the last preceding Sub-section, but subject to the Constitution, the award shall, from the expiration of those thirty days or such later period as is specified in the award, have full force and effect notwithstanding the provisions of any law or regulation of the Commonwealth.

16. (1) The office of Industrial Registrar under the Commonwealth Conciliation and Arbitration Act, 1904-1911, shall be an office in the Administrative Division of the Public Service and the salary of the office shall have a minimum of six hundred pounds per annum and a maximum of eight hundred and fifty pounds per annum.

(2) The Industrial Registrar holding office at the commencement of this Act shall be deemed to have been appointed to his office as classified by this Section as from the first day of July, One thousand nine hundred and eleven at the minimum salary.

(3) The Industrial Registrar shall receive an annual increment of fifty pounds per annum until the maximum salary of his office is reached, but so that a year shall elapse from the time of his appointment before the first increment becomes payable, and a year shall elapse from the time of the last increment becoming payable before another increment becomes payable.

(4) The Consolidated Revenue Fund is hereby appropriated for the purposes of any payments in pursuance of this Section.

17. The Governor-General may make Regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for giving effect to this Act.

**16. An Act relating to compensation to seamen for injuries suffered in the course of their employment. (No. 13 of 1911). (Assented to 18th December, 1911.)**

1. This Act may be cited as the "Seamen's Compensation Act, 1911."

2. This Act shall commence on a day to be fixed by proclamation.

3. (1) In this Act, unless the contrary intention appears—

"The Comptroller-General" means the Comptroller-General of Customs :

"County Court" means a County Court, District Court, or Local Court of any State, or any Court exercising in any part of the Commonwealth a limited civil jurisdiction and presided over by a Judge or a Police, Stipendiary, or Special Magistrate :

"Dependants" means such of the members of the seaman's family as were wholly or in part dependent upon the earnings of the seaman at the time of his death, or who would, but for the incapacity due to the accident, have been so dependent ; and where the seaman—

(a) being the parent or grandparent of an illegitimate child, leaves the child so dependent upon his earnings, or

(b) being an illegitimate child, leaves a parent or grandparent so dependent upon his earnings,

includes such an illegitimate child and parent or grandparent respectively :

"Employer" includes any body of persons, corporate or unincorporate, and the legal personal representative of a deceased employer, and, where the services of a seaman are temporarily lent or let on hire to another person by the person with whom the seaman has entered into a contract of service or apprenticeship, the latter shall, for the purposes of this Act, be deemed to continue to be the employer of the seaman whilst he is working for that other person :

"Judge of a County Court" includes the Judge of a County Court, District Court, or Local Court, and also any Police, Stipendiary, or Special Magistrate presiding or having jurisdiction to preside over a County Court as defined by this Act :

"Member of a family" means wife or husband, father, mother, grandfather, grandmother, step-father, step-mother, son, daughter, grandson, granddaughter, step-son, step-daughter, brother, sister, half-brother, half-sister :

"Port" includes place and harbour :

"Seaman" includes master, officer, apprentice, pilot, or other person employed or engaged in any capacity on board a ship in connection with the navigation or working of the ship :

"Ship" includes every vessel used in navigation not ordinarily propelled by oars :

"Vessel" means any ship, boat, or any other description of vessel used for any purpose on the sea or in navigation.

(2) Any reference to a seaman who has been injured shall, where the seaman is dead, include a reference to his legal personal representative or to his dependants or other person to whom or for whose benefit compensation is payable.

4. (1) Subject to Sub-section (2) of this Section, this Act shall apply to the employment of seamen on any of the following ships :—

(a) ships in the service of the Commonwealth, other than the Naval or Military Service ;

(b) ships trading with Australia, or engaging in any occupation in Australian waters, and being in the territorial waters of any Territory which is part of the Commonwealth ; and

(c) ships engaged in trade and commerce with other countries or among the States.

(2) In the case of ships not registered in Australia, this Act shall, as regards paragraphs (b) and (c), of Sub-section (1) of this Section, only apply in relation to seamen shipped under articles of agreement entered into in Australia, and then only while the ships are subject to the law of the Commonwealth.

5. (1) If personal injury by accident arising out of and in the course of the employment is caused to a seaman, his employer shall, subject to this Act, be liable to pay compensation in accordance with the First Schedule to this Act.

(2) Provided that—

(a) the employer shall not be liable under this Act in respect of any injury which does not disable the seaman, for a period of at least one week, from earning full wages :

(b) a seaman shall not be entitled to recover compensation both independently of and also under this Act ; but subject to this paragraph this Act shall not affect any civil liability of an employer under any other law :

(c) if it is proved that the injury to a seaman is attributable to his serious and wilful misconduct, any compensation claimed in respect of that injury shall, unless the injury results in death or serious and permanent disablement, be disallowed :

(d) in the case of the death of a seaman leaving no dependants, no compensation shall be payable under this Act if the owner of the ship is under any Act, Imperial Act, or State Act liable to pay the expenses of burial :

(e) if it appears that the claimant has a claim for compensation for the injury under any law of the United Kingdom or of any other part of the King's Dominions or of any foreign country, compensation under this Act shall only be allowed upon the claimant undertaking not to claim compensation for the injury under any such law.

(3) If any question arises, in any proceedings under this Act, as to the liability to pay compensation under this Act (including any question as to whether the person injured is a seaman to whom this Act applies), or as to the amount or duration of compensation under this Act, the question, if not settled by agreement, shall, subject to the provisions of the First Schedule to this Act,

be settled by arbitration, in accordance with the Second Schedule to this Act, or proceedings in a County Court.

(4) Any undertaking given in pursuance of paragraph (e) of Subsection (2) of this Section shall have effect as a contract between the claimant and the person from whom the compensation is claimed.

6. (1) Proceedings for the recovery under this Act of compensation for an injury shall not be maintainable unless notice of the accident has been given as soon as practicable after it has happened, and before the seaman has voluntarily left the employment in which he was injured, and unless the claim for compensation has been made—

(a) within six months from the occurrence of the accident, or

(b) in case of death—within six months after news of the death has been received by the claimant, or,

(c) in the case of a ship lost with all hands—within eighteen months after the date when she is deemed under §12 of this Act to have been lost with all hands :

Provided always that—

(a) where the accident happened and the incapacity commenced on board the ship, it shall not be necessary to give any notice of the accident ;

(b) the want of or any defect or inaccuracy in the notice shall not be a bar to the maintenance of proceedings if it is found, in the proceedings for settling the claim, that the employer is not, or would not, if a notice or an amended notice were then given and the hearing postponed, be prejudiced in his defence by the want, defect, or inaccuracy, or that the want, defect, or inaccuracy was occasioned by mistake, absence from Australia, or other reasonable cause ; and

(c) the failure to make a claim within the period above specified shall not be a bar to the maintenance of proceedings if it is found that the failure was occasioned by mistake, absence from Australia, or other reasonable cause.

(2) Notice in respect of an injury under this Act shall give the name and address of the person injured, and shall state in ordinary language the cause of the injury and the date at which the accident happened, and shall be served on the employer, or, if there is more than one employer, upon one of the employers.

(3) The notice may be served by delivering it to the person on whom it is to be served, or by sending it by post in a registered letter addressed to him at his residence or place of business.

(4) Where the employer is a body of persons, corporate or unincorporate, the notice may be served by delivering it at the office or one of the offices of the employer, or by sending it by post in a registered letter addressed to the employer at one of the offices of the employer.

(5) Except where the person injured is the master, the notice of accident and the claim for compensation may be served on the master, as if he were the employer.

7. (1) Where any person (in this Section referred to as the principal) in the course of or for the purposes of his trade or business, contracts with any other person (in this Section referred to as the contractor) for the execution by or under the contractor of the whole or any part of any work undertaken by the principal, the principal shall be liable to pay to any seaman employed

in the execution of the work any compensation under this Act which he would have been liable to pay if that seaman had been immediately employed by him ; and where compensation is claimed from or proceedings are taken against the principal, then in the application of this Act, references to the principal shall be substituted for references to the employer, except that the amount of compensation shall be calculated with reference to the earnings of the seaman under the employer by whom he is immediately employed.

(2) Where the principal is liable to pay compensation under this Section, he shall be entitled to be indemnified by any person who would have been liable to pay compensation to the seaman independently of this Section, and all questions as to the right to and amount of any such indemnity shall in default of agreement be settled by arbitration under this Act, or by action in any County Court.

(3) Nothing in this Section shall be construed as preventing a seaman recovering compensation under this Act from the contractor instead of the principal.

8. (1) Where any employer has entered into a contract with any insurers in respect of any liability under this Act to any seaman, then, in the event of the employer becoming bankrupt, or making a composition or arrangement with his creditors, or if the employer is a company, in the event of the company having commenced to be wound up, the rights of the employer against the insurers as respects that liability shall, notwithstanding anything in the laws relating to bankruptcy, and the winding up of companies, be transferred to and vested in the seaman, and upon any such transfer the insurers shall have the same rights and remedies and be subject to the same liabilities as if they were the employer, but so that the insurers shall not be under any greater liability to the seaman than they would have been under to the employer.

(2) If the liability of the insurers to the seaman is less than the liability of the employer to the seaman, the seaman may prove for the balance in the bankruptcy or liquidation.

(3) There shall be included among the debts which are in the distribution of the property of a bankrupt and in the distribution of the assets of a company being wound up to be paid in priority to all other debts, the amount due in respect of any compensation the liability wherefor accrued before the date of the sequestration order (or any other order corresponding thereto or having the like effect) or the date of the commencement of the winding up, and the provisions of any laws relating to preferential payments in relation to bankruptcy and the winding up of companies shall have effect accordingly. Where the compensation is a weekly payment, the amount due in respect thereof shall, for the purposes of this provision, be taken to be the amount of the lump sum for which the weekly payment could, if redeemable, be redeemed if the employer made an application for that purpose under the First Schedule to this Act.

(4) The provisions of this Section with respect to preferences and priorities shall not apply where the bankrupt or the company being wound up has entered into such a contract with insurers as aforesaid.

(5) This Section shall not apply where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company.

9. Subject to this Act, compensation shall be paid in full in all cases, notwithstanding any limitation of liability in any other law; but any limitation of a shipowner's liability imposed by any other law shall apply to the amount recoverable by way of indemnity under the Section of this Act relating to remedies both against employer and stranger, as if the indemnity were damages for loss of life or personal injury.

10. Where the injury for which compensation is payable under this Act was caused under circumstances creating a legal liability in some person, other than the employer, to pay damages in respect thereof—

(a) the seaman may take proceedings both against that person to recover damages and against any person liable to pay compensation under this Act for such compensation, but shall not be entitled to recover both damages and compensation; and

(b) if the seaman has recovered compensation under this Act, the person by whom the compensation was paid and any person who has been called on to pay an indemnity under the Section of this Act relating to sub-contracting shall be entitled to be indemnified by the person so liable to pay damages as aforesaid, and all questions as to the right to and amount of any such indemnity shall, in default of agreement, be settled by action or, by consent of the parties, by arbitration under this Act.

11. (1) Where an injured seaman is discharged or left behind in a British Possession or in a foreign country depositions respecting the circumstances and nature of the injury may be taken by any Judge or Magistrate in the British Possession or by any British Consular Officer in the foreign country.

(2) Depositions taken in pursuance of this Section shall be transmitted by the person by whom they are taken to the Comptroller-General.

(3) Depositions taken in pursuance of this Section or certified copies of them shall be admissible in evidence in proceedings for compensation under this Act.

12. (1) In any proceeding for compensation under this Act, if it is shown by some official return produced out of official custody, or by other evidence, that the ship on which the seaman in respect of whom the compensation is claimed was employed has, twelve months or upwards before the institution of the proceeding, left a port of departure, she shall, unless it is shown that she has been heard of within twelve months after that departure, be deemed to have been lost with all hands on board either immediately after the time she was last heard of or at such later time as the Court or arbitrator thinks probable.

(2) A duplicate agreement or list of the crew made out or a statement of a change in the crew delivered under any Act, Imperial Act, or State Act relating to navigation or shipping at the time of the last departure of the ship from Australia, or a certificate purporting to be a certificate from a Consular or other public officer at any port out of Australia, stating that certain seamen were shipped in the ship from the said port, shall, if produced out of official custody, be, in the absence of proof to the contrary, sufficient proof that the seamen therein named as belonging to the ship were on board at the time of the loss.

13. (1) If it is alleged that the owner of any ship is liable as such to pay compensation under this Act, and the ship is at any time found in any port or river in Australia or within any territorial waters thereof, a Justice of the High Court or a Judge of the Supreme Court of a State may, upon its being



shown to him by any person applying that the owner is probably liable as such to pay compensation under this Act and that the owner does not reside in Australia, issue an order, directed to any officer of the Department of Trade and Customs or other officer named in the order, requiring him to detain the ship until such time as the owner, agent, master, or consignee thereof has paid the compensation, or has given security to be approved by the Justice or Judge to abide the event of any proceedings that may be instituted to recover compensation under this Act and to pay such compensation and costs (if any) as are awarded.

(2) The officer to whom the order is directed may detain the ship in accordance with the order.

(3) In any legal proceeding to recover the compensation, the person giving security may be made the defendant, and the production of the order of the Justice or Judge made in relation to the security shall be conclusive evidence of the liability of the defendant.

(4) Where the owner of a ship is a corporation, it shall for the purpose of this Section be deemed to reside in Australia if it has an office in Australia at which service of process can be effected.

(5) The master of a ship, after detention in pursuance of this Section, or after service on him of any notice of or order for detention, shall not proceed to sea with the ship before she is released by competent authority.

Penalty : One hundred pounds.

(6) If the master proceeds to sea with the ship in contravention of this Section, and takes to sea any person authorised to detain the ship, the owner and master of the ship shall each be liable to pay a further penalty at the rate of ten pounds per day until the person returns or such time as would enable him after leaving the ship to return to the place from which he was taken.

(7) On Officer of Customs shall refuse to grant a certificate of clearance to any ship while under detention in pursuance of this Section, and may refuse to grant such a certificate if he has had notice that an order for the detention of the ship has been made, or that an application for an order for the detention of the ship is about to be made.

14. (1) The Minister may appoint any duly qualified medical practitioners to be medical referees for the purposes of this Act.

(2) Medical referees shall be paid such fees as are provided by the regulations.

(3) The fees of medical referees shall be paid out of moneys provided by Parliament for the purpose.

(4) A medical referee who has been employed as a medical practitioner in connection with any case by or on behalf of an employer or seaman, or by any insurers interested, shall not act as a medical referee in that case.

15. Where an arbitrator is appointed by a County Court under this Act, the remuneration of the arbitrator shall be paid out of moneys provided by Parliament for the purpose.

16. The owner or master of every ship on which seamen to which this Act applies are employed shall, as prescribed, furnish to the Comptroller-General correct returns specifying—

(a) the number of injuries in respect of which compensation has been paid under this Act during the previous year, or in respect of any period specified by the Comptroller-General ;

(b) the amount of compensation paid during that year, or period, and

(c) such other particulars as are prescribed or as the Comptroller-General requires

Penalty : Five pounds.

17. The Governor-General may make Regulations not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for giving effect to this Act, and in particular for modifying, altering or repealing any of the provisions of the Second Schedule to this Act or adding any additional provisions to that Schedule.

18. The Seamen's Compensation Act, 1909,\* is repealed.

## SCHEDULES.

### FIRST SCHEDULE.

#### *Scale and Conditions of Compensation.*

(1.) The amount of compensation under this Act shall be—

(a) where death results from the injury—

(i.) if the seaman leaves any dependants wholly dependent upon his earnings, a sum equal to his earnings in the employment of the same employer during the three years next preceding the injury, or the sum of Two hundred pounds, whichever of those sums is the larger, but not exceeding in any case Five hundred pounds :

Provided that the amount of any weekly payments made under this Act, and any lump sum paid in redemption thereof, shall be deducted from such sum, and, if the period of the seaman's employment by the said employer has been less than the said three years, then the amount of his earnings during the said three years shall be deemed to be one hundred and fifty-six times his average weekly earnings during the period of his actual employment under the said employer ;

(ii.) if the seaman does not leave any such dependants, but leaves any dependants in part dependent upon his earnings, such sum, not exceeding in any case the amount payable under the foregoing provisions, as may be agreed upon, or, in default of agreement, may be determined, on arbitration or proceedings under this Act, to be reasonable and proportionate to the injury to the said dependants ; and

(iii.) if he leaves no dependants, the reasonable expenses of his medical attendance and burial, not exceeding Thirty pounds ;

(b) where total or partial incapacity for work results from the injury, a weekly payment during the incapacity not exceeding fifty per centum of the seaman's average weekly earnings during the previous twelve months, if he has been so long employed, but if not then for any less period during which he has been in the employment of the same employer, such weekly payment not to exceed Thirty shillings, and, if at any time the seaman is entitled to an old age pension from the Commonwealth, not to exceed during that time an amount which together with the weekly rate of the pension will make up Thirty shillings. For the purposes of the grant of an old age pension, compensation under this Act shall not be taken to be income :

Provided that—

(a) if the incapacity lasts less than two weeks no compensation shall be payable in respect of the first week ; and

(b) as respects the weekly payments during total incapacity of a seaman who is under twenty-one years of age at the date of the injury, and whose average weekly earnings are less than Twenty shillings, one hundred per centum shall be substituted for fifty per centum of his average weekly earnings, but the weekly payment shall in no case exceed Ten shillings.

(2.) For the purposes of the provisions of this Schedule relating to "earnings" and "average weekly earnings" of a seaman, the following rules shall be observed :—

\* Title E.B. VII., p. 324, No. 5.

(a) average weekly earnings shall be computed in such manner as is best calculated to give the rate per week at which the seaman was being remunerated. Provided that where by reason of the shortness of the time during which the seaman has been in the employment of his employer, or the casual nature of the employment, or the terms of the employment, it is impracticable at the date of the accident to compute the rate of remuneration, regard may be had to the average weekly amount which, during the twelve months previous to the accident, was being earned by a person in the same grade employed at the same work by the same employer, or, if there is no person so employed, by a person in the same grade employed in the same class of employment ;

(b) where the seaman had entered into concurrent contracts of service with two or more employers under which he worked at one time for one such employer and at another time for another such employer, his average weekly earnings shall be computed as if his earnings under all such contracts were earnings in the employment of the employer for whom he was working at the time of the accident ;

(c) employment by the same employer shall be taken to mean employment by the same employer in the grade in which the seaman was employed at the time of the accident, uninterrupted by absence from work due to illness or any other unavoidable cause ;

(d) where the employer has been accustomed to pay to the seaman a sum to cover any special expenses entailed on him by the nature of his employment, the sum so paid shall not be reckoned as part of the earnings.

(3.) In fixing the amount of the weekly payment, regard shall be had to any payment, allowance, or benefit which the seaman may receive from the employer during the period of his incapacity, and in the case of partial incapacity the weekly payment shall in no case exceed the difference between the amount of the average weekly earnings of the seaman before the accident and the average weekly amount which he is earning or is able to earn in some suitable employment or business after the accident, but shall bear such relation to the amount of that difference as under the circumstances of the case may appear proper.

(4.) No weekly payment shall be payable in respect of any period during which the owner of the ship is under any Act, Imperial Act, or State Act liable to defray the expenses of maintenance of the injured seaman.

(5.) Where a seaman has given notice of an accident, he shall, if so required by the employer, submit himself for examination by a duly qualified medical practitioner provided and paid by the employer, and, if he refuses to submit himself to such examination, or in any way obstructs the same, his right to compensation, and to take or prosecute any proceeding under this Act in relation to compensation, shall be suspended until such examination has taken place.

(6.) The payment in the case of death shall, unless otherwise provided in this Schedule or by the regulations, be paid to a prescribed authority, and the sum so paid shall be dealt with as prescribed for the benefit of the persons entitled thereto.

Provided that, if so agreed, the payment in case of death shall, if the seaman leaves no dependants, be made to his legal personal representative, or, if he has no such representative, to the person to whom the expenses of medical attendance and burial are due.

(7.) Where a weekly payment is payable under this Act to a person under any legal disability, the weekly payment shall be paid during the disability to a prescribed authority, and dealt with as prescribed for the benefit of the person entitled thereto.

(8.) Any question as to who is a dependant shall, in default of agreement, be settled by arbitration under this Act, or by a County Court, and the amount payable to each dependant shall be settled by arbitration under this Act, or by a County Court.

(9.) Where there are both total and partial dependants, nothing in this Schedule shall be construed as preventing the compensation being allotted partly to the total and partly to the partial dependants.

(10.) Where, on application being made to a prescribed authority that, on account of neglect of children on the part of a widow, or on account of the variation of the circumstances of any of the dependants, or for any other sufficient cause, an order of the Court or an award as to the apportionment amongst the several dependants of any sum paid as compensation, or as to the manner in which any sum payable to any dependant is to be dealt with, ought to be varied, the prescribed authority may make an application to a County Court for the variation of the order or the award, and the County Court may make such order thereon as it thinks just.

(11.) Any seaman receiving weekly payments under this Act shall, if so required by the employer, from time to time submit himself for examination by a duly qualified medical practitioner provided and paid by the employer. If the seaman refuses to submit himself to such examination, or in any way obstructs the examination, his right to the weekly payments shall be suspended until the examination has taken place.

(12.) A seaman shall not be required to submit himself for examination by a medical practitioner under the provisions of this Schedule otherwise than in accordance with the regulations, or at more frequent intervals than is prescribed by those regulations.

(13.) Where a seaman has submitted himself for examination by a medical practitioner, or has been examined by a medical practitioner selected by himself, and the employer or seaman, as the case may be, has within six days after such examination furnished the other with a copy of the report of that practitioner as to the seaman's condition, then, in the event of no agreement being come to between the employer and the seaman as to the seaman's condition or fitness or employment, the prescribed authority, on application being made to him by both parties, may, on payment by the applicants of such fee, not exceeding Two pounds, as is prescribed, refer the matter to a medical referee.

(14.) The medical referee to whom the matter is referred shall examine the seaman, and shall, in accordance with the regulations, give a certificate as to the condition of the seaman and his fitness for employment, specifying, where necessary, the kind of employment for which he is fit, and that certificate shall be conclusive evidence as to the matters so certified.

(15.) Where no agreement can be come to between the employer and the seaman as to whether or to what extent the incapacity of the seaman is due to the accident, the provisions of this Schedule relating to reference to and examination and certificate by a medical referee, shall, subject to the regulations, apply as if the question were a question as to the condition of the seaman.

(16.) If a seaman refuses to submit himself for examination by a medical referee, as provided in this Schedule, or in any way obstructs the examination, his right to compensation and to take or prosecute any proceedings under this Act in relation to compensation, or, in the case of a seaman in receipt of a weekly payment, his right to that weekly payment, shall be suspended until the examination has taken place.

(17.) Any weekly payment may be reviewed in the prescribed manner at the request either of the employer or of the seaman, and on such review may be ended, diminished, or increased, subject to the maximum above provided :

Provided that where the seaman was at the date of the accident under twenty-one years of age and the review takes place more than twelve months after the accident, the amount of the weekly payment may be increased to any amount not exceeding fifty per cent. of the weekly sum which the seaman would probably have been earning at the date of the review if he had remained uninjured, but not in any case exceeding One pound.

(18.) Where any weekly payment has been continued for not less than six months, the liability therefor may, at the option of the employer, but subject to the regulations, be redeemed by the payment of a lump sum of such an amount as, where the incapacity is permanent, would, if invested in the purchase of an immediate life annuity, purchase an annuity for the seaman equal to seventy-five per cent. of the annual value of the weekly payment, and as in any other case is settled by arbitration under this Act, or by a County Court, and such lump sum may be ordered by the committee or arbitrator or Judge of the County Court to be paid to a prescribed authority to be invested or otherwise applied for the benefit of the person entitled thereto :

Provided that nothing in this paragraph shall be construed as preventing agreements being made for the redemption of a weekly payment by a lump sum.

(19.) If a seaman receiving a weekly payment ceases to reside in Australia, he shall cease to be entitled to receive any weekly payment, unless a medical referee certifies that the incapacity resulting from the injury is likely to be of a permanent nature. If the medical referee so certifies, the seaman shall be entitled to receive quarterly the amount of the weekly payments accruing due during the preceding quarter so long as he proves, in such manner and at such intervals as are prescribed, his identity and the continuance of the incapacity in respect of which the weekly payment is payable.

(20.) A weekly payment, or a sum paid by way of redemption thereof, shall not be capable of being assigned, charged, or attached, and shall not pass to any other person by operation of law, nor shall any claim be set off against it.

(21.) Where under this Schedule a right to compensation is suspended, no compensation shall be payable in respect of the period of suspension.

## SECOND SCHEDULE.

*Proceedings for Compensation.*

(1.) For the purpose of settling any matter which under this Act may be settled by arbitration, if any committee, representative of an employer and his seamen, exists with power to settle matters under this Act in the case of the employer and seamen, the matter may, unless either party objects by notice in writing sent to the other party before the committee meet to consider the matter, be settled by the arbitration of the committee, or be referred by it to arbitration as hereinafter provided.

(2.) If there is no such committee, or if either party objects to the settlement of the matter by the committee, or if the committee refers the matter to arbitration or fails to settle it within six months from the making of the claim, the matter may be settled by a single arbitrator agreed on by the parties, or, in the absence of agreement appointed, by a County Court.

(3.) The provisions of any Act or State Act relating to arbitration shall not apply to any arbitration under this Act; but a committee or an arbitrator may, if they or he think fit, submit any question of law for the decision of a County Court, and the decision of the County Court on any question of law, either on such submission, or in any case where a County Court settles the matter under this Act, or where it gives any decision or makes any order under this Act, shall be final, unless within the time and in accordance with the conditions prescribed by the regulations either party appeals to the High Court or to the Supreme Court of the State in which the County Court is situated.

(4.) Any arbitrator appointed by a County Court shall, for the purpose of proceedings under this Act, have the same powers of procuring the attendance of witnesses and the production of documents as if the proceedings before him were an action in the County Court.

(5.) In any arbitration under this Act, any party to the proceedings may appear personally or by any other person appointed to represent him.

(6.) The costs of and incidental to the arbitration and proceedings connected therewith shall, subject to the regulations, be in the discretion of the committee or arbitrator. The costs, whether before a committee or an arbitrator, shall not exceed the limit prescribed by the regulations.

(7.) In the case of the death or refusal or inability to act of an arbitrator, the County Court may, on the application of any party, appoint a new arbitrator.

(8.) Where the amount of compensation under this Act has been ascertained, or any weekly payment varied, or any other matter decided under this Act, either by a committee or by an arbitrator or by agreement, a memorandum thereof shall be sent, in manner prescribed by the regulations, by the committee or arbitrator, or by any party interested, to the prescribed authority, who shall, subject to the regulations, on being satisfied as to its genuineness, record the memorandum, and thereupon the memorandum shall for all purposes be enforceable as if it were a judgment of a County Court.

Provided that—

(a) no such memorandum shall be recorded before seven days after the despatch by the prescribed authority of notice to the parties interested;

(b) where a seaman seeks to record a memorandum of agreement between his employer and himself for the payment of compensation under this Act, and the employer, in accordance with the regulations, objects to the recording of the memorandum, and proves that the seaman has in fact returned to work and is earning the same wages as he did before the accident, the memorandum shall only be recorded, if at all, on such terms as the prescribed authority, under the circumstances, thinks just;

(c) a County Court may at any time make such order in relation to the recording of the memorandum, including the removal of such record, as it thinks just;

(d) where it appears to a prescribed authority, on any information which he considers sufficient, that an agreement as to the redemption of a weekly payment by a lump sum, or an agreement as to the amount of compensation payable to a person under any legal disability, or to dependants, ought not to be recorded by reason of the inadequacy of the sum or amount, or by reason of the agreement having been obtained by fraud or undue influence, or other improper means, he may refuse to record the memorandum of the agreement, and refer the matter to a County Court, which may, in accordance with the regulations, make such order (including an order as to any sum already paid under the agreement) as under the circumstances it thinks just;

(e) a County Court may, within six months after the recording of a memorandum of an agreement as to the redemption of a weekly payment by a lump sum or of an agreement as to the amount of compensation payable to a person under any legal disability or to dependants, order that the record be removed on proof to its satisfaction that the agreement was obtained by fraud or undue influence or other improper means, and may make such order (including an order as to any sum already paid under the agreement) as under the circumstances it thinks just.

(9.) An agreement as to the redemption of a weekly payment by a lump sum, if not recorded in accordance with this Act, shall not, nor shall the payment of the sum payable under the agreement, exempt the person by whom the weekly payment is payable from liability to continue to make that weekly payment, and an agreement as to the amount of compensation to be paid to a person under a legal disability or to dependants, if not so recorded, shall not, nor shall the payment of the sum payable under the agreement, exempt the person by whom the compensation is payable from liability to pay compensation, unless, in either case, he proves that the failure to register was not due to any neglect or default on his part.

(10.) Where any matter under this Act is to be done in a County Court, it may be done in any County Court, but if the Judge of the County Court in which the proceedings are taken, is satisfied that the matter can be more conveniently dealt with in some other County Court, he may order the transfer of the proceedings to that Court, and upon such transfer that Court shall have the like jurisdiction in relation to the proceedings as if they had been commenced in that Court.

(11.) Any sum awarded as compensation shall, unless paid to a prescribed authority, be paid on the receipt of the person to whom it is payable under any agreement or award, and the solicitor or agent of a person claiming compensation under this Act shall not be entitled to recover from him any costs in respect of any proceedings in an arbitration under this Act, or to claim a lien in respect of such costs on, or deduct such cost from, the sum awarded or agreed as compensation.

(12.) Any committee, arbitrator, or County Court may, subject to the regulations, submit to a medical referee for report any matter which seems material to any question arising in the proceedings.

(13.) The Minister may, by order, either unconditionally or subject to such conditions or modifications as he thinks fit, confer on any committee representative of an employer and his seamen, as respects any matter in which the committee acts as arbitrator, or which is settled by agreement submitted to and approved by the committee, all or any of the powers conferred by this Act on a County Court, and may by the order modify any of the provisions of this Schedule, and may provide for such incidental, consequential, or supplemental provisions as may appear to the Minister to be necessary or proper for the purposes of the order.

(14.) A Judge of a County Court may, in relation to any proceedings in the Court, exercise all the jurisdiction and powers of a County Court under this Schedule.

**17. An Act to grant and apply out of the Consolidated Revenue Fund a sum for Invalid and Old Age Pensions (No. 22 of 1911). (Assented to 22nd December, 1911.)**

## II. STATES.

### South Australia.

**1. An Act to further amend the "Marine Board and Navigation Act, 1881," and for other purposes (No. 917) (Reserved, December 21st, 1906; Royal Assent proclaimed, 8th May, 1907.)**

#### EXTRACT.

[The master of a ship to have the same rights, liens, and remedies for the recovery of his wages as a seaman.

No shipment or unshipment of goods on Sunday.]

2. Regulations under "The Factories Act, 1907.\*" (30th September, 1908.)
3. An Act to regulate the use of passenger and other lifts (No. 949). (Assented to 11th November, 1908.)
4. Regulations under the "Lifts Regulation Act, 1908,"† (24th March, 1909.)
5. Additional Regulations under "The Scaffolding Inspection Act, 1907‡ and 1908."\*\* (29th September, 1909.)
6. An Act to consolidate and amend the laws constituting Public Holidays and Bank Holidays, and for other purposes (No. 1010). (Assented to 30th November, 1910.)
7. An Act giving the Government power to make advances to persons of limited means to provide homes for themselves and for other purposes (No. 1018). (Assented to 7th December, 1910.)
8. An Act to further amend the Act No. 22 of 1852 entitled "An Act to Regulate Friendly Societies," "The Manchester Unity of Oddfellows Act, 1874," and "The Friendly Societies Act, 1886," and for other purposes (No. 1021). (Assented to 7th December, 1900.)
9. Regulations under "The Scaffolding Inspection Act, 1907."†† (16th February, 1911.)

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\* Text E.B. IV., p. 230.

† See above, No. 3.

‡ Title E.B. III., p. 178.

\*\* Title E.B. V., p. 258.

†† Title E.B. III., p. 178.

# Bulletin

OF THE

## INTERNATIONAL LABOUR OFFICE

[NOTE.—The German, French, and English editions of the *Bulletin* are referred to as G.B., F.B., and E.B., respectively.]

### National Labour Legislation

#### 1. LAWS AND ORDERS

##### I. Austria

1. *Erlass des k.k. Ministeriums der öffentlichen Arbeiten, im Einvernehmen mit dem k.k. Ministerium des Innern betr. die in bautechnischer, sanitärer und sittenpolizeilicher Hinsicht an Kleinwohnungen zustellenden Anforderungen.* Z. 213/58 III. Vom 21. Juli 1911. (Soziale Rundschau 1912, II., 25.)

**Decree of the Ministry of Public Works, in agreement with the Ministry of the Interior, relating to the requirements to be imposed as regards small dwellings, from an architectural, sanitary and moral point of view.** No. 213-58, III. (Dated 21st July, 1911.)

2. *Kundmachung des Ministeriums für öffentliche Arbeiten im Einvernehmen mit dem Finanzministerium, mit welcher ein neues Statut des Staatlichen Wohnungsfürsorgefonds für Kleinwohnungen verlautbar wird.* Vom 9 Februar 1912. (Reichsgesetzblatt XI., Stück, 1912, S. 137.)

**Notification of the Ministry for Public Works issued in agreement with the Ministry of Finance, by which new rules of the Government Fund for the provision of small dwellings are published.** (Dated 9th February, 1912.)

3. *Verordnung, betr. die Gewährung von kündbaren, verzinslichen Vorschüssen an gemeinnützige Bauvereinigungen gemäss dem Gesetze vom 28. Dezember 1911 (R.G.Bl. Nr. 244) über die staatliche Förderung der Wohnungsfürsorge.* Vom 9. Februar 1912. (Reichsgesetzblatt 1912, XI., Stück, S. 150.)

**Regulations relating to the granting of redeemable advances bearing interest to public benefit building societies, in accordance with the Act of 28th December, 1911\* (R.G.Bl. No. 244), concerning State assistance in the provision of industrial dwellings.** (Dated 9th February, 1912.)

\* Title E.B. VII., p. 22, No. 6.



4. *Verordnung, betr. die Gemeinnützigkeit der Bauvereinigungen und deren Ueberwachung nach dem Gesetze vom 28. Dezember 1911* (R.G.Bl. Nr. 242) *und dem Gesetze vom 28. Dezember 1911* (R.G.Bl. Nr. 243). Vom 9. Februar 1912. (Reichsgesetzblatt 1912, XI. Stück, S. 151.)

**Regulations relating to the common utility of building societies and the supervision of the same, in accordance with the Act of 28th December, 1911\*** (R.G.Bl. Nr. 242), **and the Act of 28th December, 1911†** (R.G.Bl. No. 243). (Dated 9th February, 1912.)

5. *Verordnung, betr. die Durchführung der gebührenrechtlichen Bestimmungen des Gesetzes vom 28. Dezember 1911* (R.G.Bl. Nr. 243) *über Steuer- und Gebührenbegünstigungen für gemeinnützige Bauvereinigungen.* (Vom 10. Februar 1912. Reichsgesetzblatt 1912, XI. Stück, S. 151.)

**Regulations relating to the carrying out of the provisions regarding legal charges of the Act of 28th December, 1911, (R.G.Bl. No. 243), dealing with allowances on taxes and charges for public benefit building societies.** (Dated 10th February, 1912.)

6. *Gesetz, betr. die Unfallversicherung bei baugewerblichen Betrieben.* Nr. 96. Vom 29. April 1912. (Reichsgesetzblatt 1912, XXXIX., Stück, S. 333.)

**Act relating to insurance against accidents in the building trades.** (Dated 29th April, 1912.)

I. §1 (2) of the Act of 28th December, 1887 (R.G.Bl. No. 1) ex 1888, shall be worded as follows :—

The same applies to workers, as well as employees, engaged in industrial establishments in which building work is carried on, or who are otherwise occupied in the work of construction of buildings or in carrying out work in buildings. In this connection, the insurance in the case of the trades of painters, glaziers, fitters, joiners, locksmiths and plumbers, shall extend only to work carried out on buildings in course of construction or on completed buildings proper, but in all other industries which have to do with the execution of building work it shall embrace the whole extent of the operations performed.

The provisions of the foregoing paragraph shall have no application to those workers who, without being occupied in industrial work of the kind specified, merely carry out certain repair work on buildings. In the construction of ground-floor dwellings or farm buildings on flat land, as also in the case of other farm buildings, there shall be no obligation to insure where only the proprietor, the members of his household, or other inhabitants of the same place, or of the neighbouring places, who do not carry on such construction work as a trade, are employed.

II. This Act shall come into force from the calendar half-year following the date of its publication.

III. My Minister of the Interior and My Minister of Justice, in agreement with My other Ministers concerned, are entrusted with the carrying out of this Act.

\* Title E.B. VII., p. 22, No. 4.

† Title E.B. VII., p. 22, No. 4.

7. *Gesetz über die Erhöhung des exekutionsfreien Betrages von Dienst- und Lohnbezügen, Ruhegenüssen u.a.* Nr. 104, vom 17 Mai 1912. (Reichsgesetzblatt 1912, XLII. Stück, S. 355.)

**Act relating to the raising of the amount of wages and payments for services, pensions, etc., exempt from seizure.** No. 104 of 17th May, 1912.)

I. §2, paragraphs 1 and 2, of the Act of 29th April, 1873 (R.G.Bl. No. 68), in the wording amended by §I. of the Act of 26th May, 1888 (R.G.Bl. No. 75), and §1 of the Act of 21st April, 1882 (R.G.Bl. No. 123), are amended to the effect that instead of the words "800 gulden" the words "2,000 kronen" are inserted.

II. §II., paragraphs 1 and 2, of the Act of 26th May, 1888 (R.G.Bl. No. 75), and §§2 and 5 of the Act of 21st April, 1882 (R.G.Bl. No. 123), as also §291, paragraphs 1, 2 and 3 of the Act of 27th May, 1896 (R.G.Bl. No. 79) are amended to the effect that the words "500 gulden" are substituted by the words "1,200 kronen."

III. §IX., Nos. 8 and 10, of the Act of 27th May, 1896 (R.G.Bl. No. 78), are amended as follows :—

1. That in the event of a seizure made of the salaries or wages paid to persons engaged in the public service or in private employ and to their survivors, for securing the sums payable by them for maintenance in accordance with the Act, one-half of the year's income, which in the ordinary way would be exempt from seizure, shall remain free to the person liable, and at least 800k. in the case of wages for active work, 1,000k. in the case of persons in the armed force and the police, and 500k. in the case of persons discharged with a pension.

2. That the restrictions, which in the ordinary course would be applicable in the case of a seizure effected on the interest on a deposit of security to be given on the occasion of a military marriage, shall not prejudice a seizure effected by the wife or the children born of the marriage, in connection with which the security was ordered, for purposes of the maintenance to which they are entitled in accordance with the Act.

3. §292, paragraph 1, of the Act of 27th May, 1896 (R.G.Bl. No. 79), shall be worded as follows :

"If a seizure is effected by reason of a claim for the performance of maintenance required under the Act, the sum of 500 kronen only shall be exempted from seizure."

IV. §24 of the Act of 12th July, 1872 (R.G.Bl., No. 112), is amended to the effect that instead of the words "350 gulden," the words "1,200 kronen" are inserted.

V. The garnishee orders granted previous to the commencement of the enforcement of this Act, which are at variance with the provisions of this Act, shall be removed at the request of the opponent of the endangered party.

On the other hand, the valid rights obtained before the commencement of the enforcement of this Act, by cession or other legal procedure, as also by means of seizure in accordance with the laws in force until then, shall not be affected by the provisions of this Act.

VI. This Act shall come into force on the first day of the third calendar month following its publication.

My Ministry as a whole is entrusted with the carrying out of this Act.

8. *Verordnung des Handelsministers im Einvernehmen mit dem Minister des Innern betr. den Betrieb des Gewerbes derjenigen, welche an nicht öffentlichen Orten persönliche Dienste (als Boten, Träger, Begleitpersonen und dergleichen) anbieten.* Vom 3 Juli 1912. (Reichsgesetzblatt 1912, LVI. Stück, S.623.)

**Regulations issued by the Minister of Commerce, in agreement with the Minister of the Interior, relating to the carrying on of the occupation of those persons who offer personal services in places other than public places (such as messengers, porters, guides, and so forth). (Dated 3rd July, 1912.)**

1. In order to commence one of the occupations indicated in §1 of the Ministerial Order of 14th September, 1911 (R.G.Bl. No. 187), certain qualifications according to the nature of the occupation, are required in addition to the fulfilment of the previously specified conditions for obtaining permission to carry on any licensed trade (§23, paragraph 1, of the Industrial Code.)

2. The workplaces assigned for business with the public shall be so arranged as to offer no difficulty for their control by the police.

The proprietor of the establishment shall see to the provision of suitable, and more especially, absolutely sanitary, waiting-rooms for the use of the messengers, porters, guides, and so forth to be employed by him. These waiting rooms shall be separated from the workplaces mentioned in paragraph 1.

3. The simultaneous carrying out of this trade with other trades shall be subject to the permission of the industrial authority.

4. The proprietor of the undertaking shall employ only such persons as messengers, porters, guides, etc., as shall have completed their 16th year, who are sufficiently trustworthy and of good character and do not suffer from any repulsive or infectious disease and are physical qualified for their occupation.

5. The proprietor of the undertaking shall be required to submit to the industrial authority of the place where he carries on his business, as also to a Governmental police authority in places where such exists, a list of the names of all those persons who are employed as messengers, porters, guides, etc., within three days from the date of their engagement; any alteration in this list shall be notified to the said authorities within a like period. The list or the notification respectively shall contain together with the Christian and surnames of the persons employed, also their age, place of birth, place of domicile and residence.

6. The wearing of a uniform shall only be permissible if the proprietor of the business has obtained the consent of the industrial authorities to that effect.

7. The employees indicated in §5 are prohibited from taking up a position in public places for the purpose of receiving orders direct.

8. The occupation mentioned in §1, either in general or as respects the separate undertakings, shall be subject to special regulations of the industrial police.

9. Infringements of the provisions of these regulations shall be punished in accordance with the provisions of the Industrial Code.

10. These regulations shall come into force on the date of their publication.

## II. Belgium

1. *Arrêté royal. Caisses de prévoyance en faveur des ouvriers mineurs.* 28 aout 1911. (Revue du Travail XVI., 1010.)

**Royal Order : Insurance Funds for miners.** (28th August, 1911.)

2. *Arrêté royal. Usines.—Abrogation des articles 73, 74 et 75 de la loi du 21 avril 1810.* 28 aout 1911. (Revue du Travail XIV. 1012.)

**Royal Order : Workshops—Repeal of §§73, 74 and 75 of the Act of 21st April, 1810.** (28th August, 1911.)

1. The heading "Furnaces, Forges and Metallurgical Works," "Special Regulations" ("Fourneaux, Forges et Usines Métallurgiques," "Régime spécial") of the list attached to the Royal Order of 31st May, 1887, mentioned above, shall be omitted, and replaced by the following :—

No.	Description.	Class.	Objectionable Features.
1	Ores and similar materials—blast-furnaces for the manufacture of cast iron, furnaces or ovens of various kinds, converters, receivers, etc, for the extraction and refining of metals other than iron.	1 A	Smoke (metallic, sulphurous, arsenical fumes, etc.).
2	Ores (roasting ovens) .. ..	1 B	Large amount of smoke, liberation of gases noxious to vegetation, dust.
3	Sulphur ores and similar materials (roasting furnaces).	1 A	Disagreeable fumes, unhealthy and noxious to vegetation, contamination of underground water streams.
4	Ores and similar materials (mechanical preparation of such).	2	Purity of water affected by materials conveyed therein.
5	Metals in the rough and semi-refined, old iron, and scrap (treatment of such); manufacture of iron and steel; rolling of various metals (works formerly coming under the regulations of the Act of 1810).	1 B	Smoke, dust, noise, and occasional discharging of noxious metallic fumes.

2. These establishments shall be placed under the inspection of the mine engineers, who shall continue to exercise in regard to them such powers as are defined in the Royal Order of 22nd October, 1895.

3. The establishing and repression of infringements shall take place in pursuance of the Act of 5th May, 1888, referring to the inspection of dangerous, unhealthy or noxious establishments.

4. All regulations contrary to those of the present Order shall be annulled.

5. The above provisions shall not in any way prejudice those regulations which apply to the establishments above mentioned, the Acts and regulations relating to the Commission of public roads or sewers, to watercourses, as also to rural and forest regulations.

6. Our Minister of Industry and Labour shall be responsible for the enforcement of the present Order.

3. *Arrêté royal : Police des mines.—Bains-douches.* 28 aout 1911 (Revue du Travail XVI., 1058.)

**Royal Order : Supervision of Mines.—Shower baths.** (28th August, 1911.)

1. Every colliery in actual working, having at least 50 workmen on the heaviest shift, shall be provided with a series of shower baths, of the separate cabinet system, with dressing room adjoining.

2. The number of cabinets in each series shall be fixed, in proportion to the number of workmen in each shift, by the management of the mine, after consultation with the engineer-in-chief of the mining district.

3. The places which are to be used for washing-rooms and dressing-rooms shall be well ventilated and suitably heated and lighted. Arrangements shall be made to prevent persons using these rooms from being exposed to dangerous draughts.

4. The flooring of these rooms shall be waterproof; they shall be so arranged as to ensure that the water drains off towards the openings of the outlet piping.

These drain pipes shall be completely covered in and provided with an air siphon.

The surface of the walls shall be smooth, so as to prevent dust settling thereon; they shall be regularly swept, whitewashed or painted, as circumstances require.

5. The cabinets shall contain only one shower-bath each; their dividing partitions, the height of which shall not be less than 1.90 metres, shall be absolutely opaque and impermeable, and their surfaces shall be as smooth as possible. These cabinets, the minimum dimensions of which shall be 1 metre by 1.25 metres, shall be protected by a metal door, ensuring absolute privacy to the occupant.

6. Arrangements shall be made for the supply of a sufficient quantity of water at a temperature varying from 36 to 38 deg. Centigrade.

7. The water used for this purpose shall present no dangerous features affecting the health of the workmen; before being used, the water shall be chemically analysed and bacteriologically examined for the purpose of ascertaining that it contains no pathogenic microbes or any substance which might irritate the skin of the workmen. Such examinations and analyses must be repeated at every request of the mining authority.

8. The rooms shall be cleaned and washed by means of a jet, using clean water, at least twice a day, immediately after each of the two principal working shifts has come out of the mine.

9. The clothes lift shall contain no shoes, axes, or any other article which might cause an accident if it happened to fall; lockers shall be available for the use of the workmen in which these articles can be kept.

10. If lockers are used for holding the workmen's clothes, they shall be made of metal, and so arranged as to be well ventilated.

11. No charge shall be made for the use of washing-rooms and dressing-rooms; nevertheless, the workmen shall be obliged to provide the necessary soap and towels at their own expense.

12. The present Order shall come into force on 1st March, 1913.

13. The permanent committees of Provincial Councils may grant postponements, and exemptions, under certain conditions, for the carrying out of the above regulations, at the request of the interested parties, upon the advice of the head managing engineer and the Inspector-General of Mines.

14. Our Minister of Industry and Labour shall issue Orders as to the appeals to which the decisions of the permanent committees may give rise, both on the part of the Mining Department and the concessionaries of the mine.

15. Proceedings shall be taken for infringements of the regulations of this Order, and the latter shall be punished in accordance with the stipulations contained in §37 of the Act of 5th June, 1911.\*

16. Our Minister of Industry and Labour shall be responsible for the enforcement of the present Order.

4. *Arrêté royal: Caisses de prévoyance en faveur des ouvriers mineurs. Réorganisation.* 1er octobre 1911. (Revue du Travail XVI., 1120.)

**Royal Decree. Provident Funds in favour of workers in mines. Reorganisation.** (1st October, 1911.)

5. *Arrêté royal: Loi du 5 juin 1911. Délégués à l'inspection des mines.* 13 décembre 1911. (Revue du Travail XVI., 1415.)

**Royal Decree: Act of 5th June, 1911.† Delegates for the inspection of mines.** (13th December, 1911.)

1. The delegates for the inspection of mines shall enjoy, during the continuance of their mandate, certain advantages which are granted, in conformity with the Act of 5th June, 1911, by the provident fund with which the coal mine undertaking where they were last employed is affiliated.

2. They shall be insured in the General Pension Fund under the guarantee of the Government, in the manner provided for by the rules of the fund concerning the individual affiliation of workers in coal mines of the district.

3. The State shall insure as against the provident fund, the obligations relating to this affiliation, which are imposed upon the parties working coal mines by the rules of the fund.

In particular, it shall make on the books of the individual delegates the payments prescribed by §2 of the Act of 5th June, 1911, by means of previous deductions from their benefits.

Moreover, the State shall intervene if necessary in a temporary way in the maintenance of the provident funds by paying, on behalf of the delegates, with the reservation of previous deduction from their benefits, the monthly contribution of 50 centimes at the charge of the workers in coal mines whose age is at least 30 on 1st January, 1912.

4. The delegates for the inspection of mines shall enjoy at the charge of the provident funds and under the conditions stipulated in §§6 and 7 of the Act of 5th June, 1911, the pensions and supplementary pensions provided for in the said regulations.

The years passed in the exercise of their mandate shall be taken into consideration, together with the time of their actual work in the mines, for the purpose of calculating the 30 years' service required for the grant of the said pensions or supplementary pensions.

\* Extract E.B. VI., p. 154, No. 24.

† Text E.B. VI., p. 151, No. 23.

Should the years of actual work in the mines have been passed in underground work, the age limit may be reduced to 55 years under the conditions provided for in §8 of the Act of 5th June, 1911.

5. The payment of the pensions and annuities to which the delegates are entitled shall be effected in conformity with the rules and regulations of the provident fund, and if necessary for account of the fund through an affiliated establishment.

The applications for pensions shall be addressed to the administrative committee in conformity with the rules by the parties interested or, if necessary, by the State.

6. Our Minister of Industry and Labour is charged with the carrying out of this Decree.

6. *Arrêté royal : Caisse générale d'épargne et de retraite. Payement, par l'entremise des Caisses communes de prévoyance, de rentes viagères dues à des ouvriers houilleurs par la caisse de retraite.* (20 décembre 1911. Revue de Travail XVI., 1417.)

**Royal Decree : General Savings and Pension Fund. Payment, through the ordinary provident funds, of life annuities due to workers in mines by the pension fund.** (20th December. 1911.)

7. *Arrêté royal : Réglementation du travail des femmes, des adolescents et des enfants dans la chocolaterie et la confiserie.* (20 décembre 1911. Revue du Travail XVI., 1430.)

**Royal Order : Regulations relating to the work of women, young persons, and children engaged in the chocolate and confectionery industry.** (20th December, 1911.)

1. In the chocolate and confectionery industry, the work done by those classes of workers which are protected by the Act of 13th December, 1889, shall be subject to the following regulations :—

*Duration of Work and Conditions of Rest.*

2. The duration of the actual work of children and young persons of less than 16 years of age, as also of girls and women between the age of 16 and 21 years, shall not exceed 10 hours per day.

3. During 30 days in every year the duration of the actual work of this class of worker may be increased up to a maximum of 11 hours.

For this purpose, managers of establishments shall be supplied with a counterfoil book, examined and signed by the labour inspector, and containing 30 leaves which may be used during the year.

Every time the manufacturer wishes to avail himself of the authorisation provided for above, he shall detach one sheet and forward it immediately to the competent labour inspector, after having entered the date on which he will make use of the above right, as also the number of protected persons which he expects to employ. The same particulars shall be entered on the counterfoil.

4. When the duration of actual work does not exceed 9 hours, a period of rest of at least 45 minutes shall be compulsory at about the middle of the working day.

When actual work lasts more than 9, but does not exceed 10 hours, protected persons shall be allowed a second period of rest of at least a quarter of an hour.

When, in exceptional cases, the duration of actual work exceeds 10 hours, the working hours shall be broken by a third period of rest, also of at least a quarter of an hour.

#### *Notices.*

5. It shall be the duty of principals, proprietors or managers to have posted up in their workshops, in a prominent position, a table indicating the hours of the commencing and termination : (1) of work, (2) of the periods of rest.

A copy of the above-mentioned table shall be forwarded to the inspector of labour.

Any alteration made in the said table shall be published and notified in a similar manner.

6. Our Minister of Industry and Labour shall be responsible for the enforcement of the present Order, which shall come into force on 1st March, 1912.

8. *Arrêté royal : Réglementation du travail de nuit des femmes dans l'industrie de la fabrication de la soie artificielle par le procédé au collodion.* (29 décembre 1911. Revue du Travail XVI., 1432.)

**Royal Order : Regulations relating to the night-work of women engaged in the manufacture of artificial silk by the collodion process.** (29th December, 1911.)

1. In the manufacture of artificial silk by the collodion process, workers of at least 21 years of age may be employed in the process of spinning proper between the hours of 9 p.m. and 5 a.m.

#### *Duration of Work and Conditions of Rest.*

2. In regard to the class of female workers whose employment between the hours of 9 p.m. and 5 a.m. is sanctioned, the duration of actual work, reckoning both the hours of day and night, shall not exceed 11 hours.

3. The hours of work shall be broken by at least three periods of rest, amounting to a total of not less than an hour and a half.

4. An uninterrupted rest of at least 11 hours shall be allowed between the cessation of one period of night-work and the resumption of work on the following night, without prejudice to the regulations of the Royal Order of the 18th August, 1907,\* relating to the enforcement of the Act in regard to Sunday rest in the manufacture of artificial silk by the collodion process.

#### *General Regulations.*

5. It shall be incumbent upon proprietors or principals of works to post up the text of the present Order in their workshops.

6. The labour inspectors and the delegates for the inspection of labour shall be responsible for the due enforcement of the present Order.

7. The task of inquiring into, establishing and repressing violations of the present Order shall be carried out in accordance with §§12 to 19 of the Act of 13th December, 1889.

8. Our Minister of Industry and Labour shall be responsible for the enforcement of the present Order, which shall come into force on the 1st January, 1912, and shall cease to have effect on the 1st July of the same year.

\* Text E.B. II., p. 219, No. 9.



9. *Arrêté royal : Réglementation du travail de nuit des femmes dans les fabriques de conserves de poissons.* 29 décembre 1911. (Revue du Travail XVI., 1434.)

**Royal Order : Regulations relating to the night-work of women in preserved fish factories.** (29th December, 1911.)

1. In preserved fish factories, female workers may be employed after 9 a.m., subject to the following conditions :—

*Duration of Work.*

2. Female workers between the ages of 16 and 21 years may be employed until midnight for not more than 30 days in the year ; the duration of actual work, reckoning both the hours of night and day, shall in no case exceed 11 hours per day.

3. The manufacturer shall be supplied with a counterfoil book containing 30 leaves. Every time the proprietor, principal or manager wishes to avail himself of the permission provided for in the preceding Section, he shall detach one sheet and send it immediately to the labour inspector or to the competent delegate, after entering thereon the date on which he will take advantage of the said right, as well as the number of persons he expects to employ. The same particulars shall be entered on the counterfoil.

4. Workers having attained the age of 21 years may be employed up to 2 a.m., but in no case shall the duration of actual work, reckoning both the hours of day and night, exceed 12 hours per day.

5. In the case of female workers referred to in the preceding Section, the manufacturer shall keep a register in which he shall enter against the name of the female workers who have been employed after 9 p.m., the date on which the work was done, the hour at which it ceased, and the hour of resumption on the following day.

*Conditions of Rest.*

6. Should the duration of actual work done by the classes of female workers referred to in the above §§2 and 4 exceed eight hours, the working hours shall be broken by at least three periods of rest, which shall altogether amount to at least an hour and a half; the longest period of rest shall be at least one hour, and shall be taken towards the middle of the working day.

Should the period of actual work be more than six and less than eight hours, the hours of work shall be broken by one or more periods of rest, the total length of which shall be at least one hour.

Whatever may be the duration of actual work, a period of rest of at least a quarter of an hour shall be compulsory after every period of work lasting four hours, and an uninterrupted rest of at least 10 hours shall be granted between the cessation of work and its resumption on the following day.

7. The hours of rest shall be determined in accordance with the requirements of the work, without prejudice to paragraph 3 of the preceding Section.

*General Regulations.*

8. Proprietors or principals of undertakings shall post up in their works the text of the present Order.

9. The labour inspectors and the delegates for the inspection of labour shall be responsible for the due enforcement of the present Order.

10. The task of inquiring into, establishing and repressing violations of the present Order shall be carried out in accordance with §§12 to 19 of the Act of 13th December, 1889.

11. §§5 and 6 of the Royal Order, dated 3rd November, 1898, relating to preserved fish factories are cancelled in so far as they refer to the female portion of the staff.

12. Our Minister of Industry and Labour shall be responsible for the enforcement of the present Order, which shall come into force on the 1st January, 1912, and shall cease to have effect on the 1st July of the same year.

10. *Arrêté royal : Conseils de prud' hommes.—Règlement du mode de fonctionnement du jury institué par l'article 30 de la loi du 15 mai 1910.* 3 janvier 1912. (Revue du Travail XVII., 61.)

**Royal Decree : Trade Councils.—Procedure of the jury instituted by §30 of the Act of 15th May, 1910.\*** (3rd January, 1912.)

11. *Arrêté royal : Conseils de prud' hommes. Elections. Modèles de convocation et des bulletins de vote. Matériel électoral.* 26 janvier 1912. (Revue du Travail XVII., 113.)

**Royal Decree : Trade Councils. Elections. Form of convocation and of voting tickets. Election arrangements.** (26th January, 1912.)

12. *Arrêté royal : Usines. Législation.* 31 janvier 1912. (Revue du Travail XVII., 181.)

**Royal Decree : Workshops. Legislation.** (31st January, 1912.)

1. The classifications under headings given in the Royal Decree of 28th August, 1911,† are replaced by the following :—

No.	Description.	Class.	Objectionable Features.
1	Ores and similar materials—blast-furnaces for the manufacture of cast iron; various furnaces, converters, shaft furnaces, etc., for the extraction and refining of metals other than iron.	I A.	Smoke—metallic, sulphurous, arsenical emanations, etc.
2	Ores (calcination furnaces)	I B.	Abundant smoke, escape of gas injurious to vegetation; dust.
3	Sulphuretted ores and similar materials (roasting furnaces).	I A.	Unpleasant and unhealthy emanations, and emanations injurious to vegetation; contamination of underground water.
4	Ores and similar materials (mechanical preparation of).	I B.	Alteration of the purity of the water by materials carried away, dust, noise, and smoke.
5	Crude and semi-refined metals, scrap and shavings (working of). Iron and steel manufacture; rolling of the several metals (works previously subject to the regulation of the Act of 1810).	I B.	Smoke, dust, noise, and sometimes injurious metallic emanations.

\* Extract E.B. VI., p. 132, No. 11.

† Title E.B. VII., p. 353, No. 2.

Our Minister of Industry and Labour is entrusted with the execution of this Decree.

13. *Circulaire ministérielle : Elections pour les conseils de prud'hommes. Instructions à MM. les gouverneurs, membres des collèges échevinaux et présidents des bureaux.* 13 février 1912. (Revue du Travail XVII., 183.)

**Ministerial Circular : Elections for the Trade Councils. Instructions to the Governors, Members of the Boards of Aldermen and Presidents of Offices.** (13th February, 1912.)

14. *Arrêté royal : Conseils de prud'hommes. Organisation. Application des articles 9, 34, 155 et 138 de la loi du 15 mai 1910.* 16 février 1912. (Revue du Travail XVII., 255.)

**Royal Decree : Trade Councils. Organisation. Application of §§9, 34, 155 and 138 of the Act of 15th May, 1910.\*** (16th February, 1912.)

15. *Arrêté royal : Conseils de prud'hommes. Application des articles 17 et 20 de la loi. Fixation de la date des élections.* 16 février 1912. (Revue du Travail XVII., 272.)

**Royal Decree : Trade Councils. Application of §§17 and 20 of the Act. Fixing the date of the Elections.** (16th February, 1912.)

16. *Arrêté royal : Conseils de prud'hommes. Groupement des communes pour le vote.* 22 février 1912. (Revue du Travail XVII., 273.)

**Royal Decree : Trade Councils. Grouping of the communes for voting.** (22nd February, 1912.)

17. *Loi complétant la loi du 5 juin 1911 sur les pensions de vieillesse en faveur des ouvriers mineurs.* 5 mars 1912. (Revue du Travail XVII., 336.)

**Act, in completion of the Act of 5th June, 1911,† relating to Old Age Pensions for the benefit of workers in mines.** (5th March, 1912.)

SOLE SECTION.—The Act of 5th June, 1911, relating to Old Age Pensions for the benefit of workers in mines, is completed by a special provision in the following terms :—

“ In districts of the country where usage has sanctioned the payment of wages by the week, there may be made monthly, at one time, a uniform deduction of 2 francs 50 centimes (frs. 2.50) on account of each worker, without distinction of age.

“ By way of exception, for the year 1912, this rate may be raised to 3 francs (frs. 3.00), and the first deduction shall only be made in the course of the month of March.

“ A Royal Decree shall regulate the carrying out of the foregoing provisions and fix the rules according to which the provident fund shall return to the workers interested the excess deducted from their wages, except in those cases in which they may have consented to this excess being paid in their name to the General Old Age Pension Fund.”

\* Extract E.B. VI., p. 132, No. 11.

† Text E.B. VI., p. 151, No. 23.

18. *Loi prorogeant les mandats des membres des conseils de l'industrie et du travail.* 5 mars 1912. (Revue du Travail XVII., 337.)

**Act extending the term of office of Members of the Industrial and Labour Councils.** (5th March, 1912.)

19. *Arrêté royal : Travail des peaux et poils.—Modification du classement.* 5 mars 1912. (Revue du Travail XVII., 390.)

**Royal Decree : Work on skins and furs. Modification in the classification.** (5th March, 1912.)

1. The classifications above indicated are modified and completed as follows :—

No.	Designation.	Class.	Objectionable Features.
1	Skins and furs (work in) : Cleaning, splitting, combing, polishing, pulling, paring, dressing, and brushing of skins, cutting and blowing of fur.	1 B.	Very unpleasant emanations, dust, noise ; unhealthy work (danger of mercurial poisoning).
2	Cleaning, splitting, combing, polishing, pulling, and paring of skins, where these operations are done at home, exclusively by the members of a family occupying the same building.	2	Very unpleasant emanations ; dust.

2. The Decrees of 15th August, 1908, and 28th February, 1911,\* are repealed.

3. Our Minister of Industry and Labour is entrusted with the execution of this Decree.

20. *Arrêté royal : Réglementation du travail de nuit des femmes dans l'industrie de la fabrication de la soie artificielle par le procédé au collodion.* 15 mai 1912. (Revue du Travail XVII., 640.)

**Royal Decree : Regulations as to night-work of women in the industry of manufacturing artificial silk by the collodion process.** (15th May, 1912.)

1. The date on which our Decree of 29th December, 1911,† shall cease to take effect is extended to the 1st January, 1913.

2. Our Minister of Industry and Labour is entrusted with the execution of the present Decree.

21. *Arrêté royal : Réglementation du travail de nuit des femmes dans les fabriques de conserves de légumes et de fruits.* 4 juin 1912. (Revue du Travail XVII., 709.)

**Royal Decree : Regulations for night-work of women in vegetable and fruit preserving factories.** (4th June, 1912.)

\* Text E.B. VI., p. 151, No. 20.

† Text E.B. VII., p. 357, No. 8.

1. In vegetable and fruit preserving factories, women workers of 21 years of age and upwards may be employed on the work after 9 o'clock in the evening and after 5 o'clock in the morning, subject to the conditions set forth hereunder :

*Conditions of Rest.*

2. The uninterrupted night rest shall consist of a minimum period of nine consecutive hours ; these nine consecutive hours shall include the interval from 10 o'clock p.m. to 4 o'clock a.m.

3. When the period of actual work of the women workers, contemplated in the above §1, exceeds eight hours, the hours of work shall be interrupted by at least three intervals of rest, the total duration of which shall not be less than one hour and a half. The principal interval of rest shall last at least one hour and shall be taken about the middle of the working day.

4. When the period of actual work exceeds six hours and does not exceed eight hours, the hours of work shall be interrupted by one or more intervals of rest, the total duration of which shall be at least one hour.

Whatever may be the period of actual work, an interval of rest of at least a quarter of an hour shall be obligatory, after each period of work of four hours.

*Period during which exemptions are permitted.*

5. The provisions of the foregoing Sections shall be applicable during the period comprised between the 10th June and the 10th August, and for 15 times, at most, per annum, outside the said period.

6 The manufacturer shall be supplied with a small book, with counter-foils, containing 15 sheets. Whenever the head of the establishment, master or manager, may wish to avail himself of the authorisation contemplated under the foregoing Section, outside the period between the 10th of June and the 10th of August, he shall detach a leaf and send it at once to the labour inspector or the competent delegate, after having inserted the date on which he will avail himself of the said faculty, and also the number of persons he intends to employ. The same particulars shall be inserted on the counterfoil.

*General Rules.*

7. The masters or heads of an enterprise shall post up in their workshops the text of this Decree.

8. The labour inspectors and the delegates for the inspection of labour shall supervise the observance of the measures prescribed.

9. The investigation, proof and repression of infringements shall take place in accordance with §§12 to 19 of the Act of 13th December, 1889.

10. Our Minister of Industry and Labour is entrusted with the carrying out of the present Decree, which shall come into force on the day of its publication in the *Moniteur* and cease to take effect on the 1st January, 1915.

### III. France

1. *Circulaire du mars 1910, du Ministre de l'intérieur aux Préfets, relative à l'application de la loi du 14 juillet 1905 sur l'assistance obligatoire aux vieillards, aux infirmes, et aux incurables.* (Bulletin de l'Office du Travail VII., 1108.)

•Circular of 6th March, 1910, from the Minister of the Interior to the Prefects, referring to the application of the Act of 14th July, 1905, in regard to compulsory help to the aged, sick, and incurable.

2. *Lettre du 30 mars 1910, du Ministre du Travail au Garde des Sceaux, Ministre de la Justice, sur l'abus des demandes reconventionnelles devant les conseils de prud'hommes.* (Bulletin de l'Office du Travail XVII., 527.)

**Letter of 30th March, 1910, from the Minister of Labour to the Keeper of the Seals, Minister of Justice, in regard to the abuse of counter claims made before Trade Councils.**

3. *Circulaire du Ministre de la Guerre du 29 avril 1910, relative à l'allocation d'une prime d'allaitement aux ouvrières employées dans les établissements militaires qui nourrissent elles-mêmes leur enfant au sein.* (Bulletin de l'Office du Travail XVII., 764.)

**Circular of the Minister of War, of 29th April, 1910, relating to the granting of a nursing bonus to those female workers employed in military establishments who suckle their children themselves.**

4. *Circulaire du Ministre de l'Agriculture du 15 juin 1910, relative à l'application de la loi du 12 juillet 1909 sur le bien de famille insaisissable.* (Bulletin de l'Office du Travail XVII., 764.)

**Circular of the Minister of Agriculture of 15th June, 1910, relating to the application of the Act of 12th July, 1909,\* respecting family property exempt from seizure.**

5. *Circulaire du 18 juin 1910, du Ministre du Travail sur le délai dans lequel doivent être payés aux ouvriers les salaires gagnés par eux.* (Bulletin de l'Office du Travail XVII., 764.)

**Circular of 18th June, 1910, of the Minister of Labour, relating to the period within which the wages, earned by workmen, shall be paid to them.**

6. *Avis du Conseil d'Etat du 22 juin 1910, d'après lequel l'article 50 de la loi des 21 avril 1810-23 juillet 1907 n'autorise pas l'administration à réglementer la durée du travail de certains ouvriers.* (Bulletin de l'Office du Travail XVIII., 288.)

**Opinion from the Council of State of 22nd June, 1910, according to which §50 of the Act of 21st April, 1810-23rd July, 1907,† does not authorise the Administration to regulate the duration of work of certain workers.**

7. *Arrêté du 25 juin 1910, du Ministre du Travail et de la Prévoyance sociale, fixant le taux des subventions à allouer aux caisses de secours contre le chômage involontaire pour les indemnités versées au cours du second semestre 1909.* (Bulletin de l'Office du Travail XVII., 763.)

**Order of 25th June, 1910, of the Minister of Labour and Friendly Societies, fixing the amount of the grants to be paid to the Relief Funds for the relief of involuntary unemployment, for benefits paid during the course of the second six months of 1909.**

8. *Décret du 27 juin 1910, déclarant applicable en Algérie la loi du 13 juillet 1907 sur le libre salaire de la femme mariée.* (Bulletin de l'Office du Travail XVII., 763; Journal officiel 1910, 5465.)

**Decree of 27th June, 1910, declaring the Act of 13th July, 1907,‡ relating to the free wages of a married woman, to be applicable in Algeria.**

\* Title E.B. IV., p. 302, No. 24.

† Text E.B. II., p. 384, No. 13.

‡ Text E.B. II., p. 382, No. 11.

9. *Décret du 28 juin 1910, rendant applicables à l'Algérie les dispositions de la loi du 27 novembre 1909 sur le travail des femmes en couches.* (Bulletin de l'Office du Travail XVII., 876 ; Journal officiel 1910, 5881.)

**Decree of 28th June, 1910, making the provisions of the Act of 27th November, 1909,\* in regard to work of women after confinement, applicable to Algeria.**

10. *Décret du 16 juillet 1910, portant création d'un Office national des retraites ouvrières et paysannes.* (Bulletin de l'Office du Travail XVII., 876.)

**Decree of 16th July, 1910, instituting a National Office for Pensions for Workmen and Peasants.**

1. A National Office for pensions for workmen and peasants is hereby established. This organisation shall be attached to the Department of the Ministry of Labour and Friendly Societies ; it shall form no part of the central administration of this Ministry.

2. The Director of the National Office for Pensions for Workmen and Peasants shall be under the immediate authority of the Minister. He shall be appointed by Decree. His salary shall be regulated according to the scale of the salaries of the Directors of the Ministry of Labour and Friendly Societies, and shall be subject to the deductions for the Civil Pension Fund.

3. The staff of the National Office for Pensions for Workmen and Peasants shall be exclusively recruited by competition on the conditions to be determined hereafter.

In any case, and until such time as these competitions shall be instituted, the representatives attached to the National Office for Pensions for Workmen and Peasants shall be directly appointed by Ministerial Orders, which shall fix, within the limits of the money allotted for this purpose in the budget of the Ministry of Labour and Friendly Societies, the amount of the allowances or salaries to be granted them.

4. The Minister of Labour and Friendly Societies and the Minister of Finance are entrusted, each in his own department, with the carrying out of the present Decree, which shall be inserted in the " Journal Officiel " and the " Bulletin des Lois."

11. *Décret du 4 août 1910, modifiant le décret du 20 septembre 1908, sur l'organisation du travail à bord des navires de commerce, en ce qui concerne les bâtiments de pêche.* (Bulletin de l'Office du Travail XVII., 999.)

**Decree of 4th August, 1910, modifying the Decree of 20th September, 1908,† on the organisation of labour on board mercantile ships, as far as fishing vessels are concerned.**

[EXTRACT.]

1. §§3, 7 and 11 of the Public Official Regulations, mentioned above, of 20th September, 1908,† are modified as follows :—

7. No member of the crew of a fishing vessel may refuse his services, whatever may be the length of the hours of work which are required of him.

But with the exception of cases of ' force majeure ' and those cases in which either the safety of the ship or that of the crew, or the preservation of the fishing appliances and the produce of the fishing are

\* Text E.B. V., p. 104, No. 16.

† Tiltle E.B. IV., p. 292, No. 4.

imperilled—of which cases the captain shall be the judge—all hours of labour ordered beyond the limits fixed by §5, shall entitle to a supplementary allowance, the amount of which shall be fixed in the contracts of engagement.

The captain of the vessel shall enter in the ship's log the exceptional circumstances contemplated in the preceding paragraph.

II. Cabin-boys and ordinary seamen shall be assured, in all cases, of a minimum uninterrupted period of rest of eight hours in the twenty-four, and other rest periods completing the total of 12 hours.

From 8 p.m. to 4 a.m., cabin-boys and ordinary seamen may not be employed on any other work than fishing.

This night-work may, however, not be extended beyond three consecutive days followed by four days interval on deep-sea fishing vessels, nor more than two consecutive nights on other fishing vessels.

Cabin-boys and ordinary seamen under 17 years of age may not be taken on board American cod-fishing boats ("doris de pêche").

12. *Décret du 4 août 1910, modifiant le décret du 21 septembre 1908, sur la sécurité de la navigation maritime et l'hygiène à bord des navires de commerce, en ce qui concerne les bâtiments de pêche.* (Bulletin de l'Office du Travail XVII., 1000.)

**Decree of 4th August, 1910, modifying the Decree of 21st September, 1908,\* in regard to safety of maritime navigation and hygiene on board trading ships, as far as fishing boats are concerned.**

13. *Circulaire du 10 septembre 1910, du Ministre du Travail relative aux économats.* (Bulletin de l'Office du Travail XVII., 1129.)

**Circular of 10th September, 1910, of the Minister of Labour relating to truck shops.**

14. *Circulaire du 15 octobre 1910, au Ministre du Travail relative à la déclaration des accidents du travail (Dépôt du certificat médical).* (Bulletin de l'Office du Travail XVII., 1854.)

**Circular of 15th October, 1910, of the Minister of Labour, relative to the notification of labour accidents (presentation of medical certificate).**

15. *Arrêté du 19 novembre 1910, du Ministre des Affaires étrangères, exemptant du droit de chancellerie les dépôts et recouvrements de fonds prévus par l'accord administratif annexé à l'arrangement franco-britannique du 3 juillet 1909.* (Bulletin de l'Office du Travail XVIII., 60.)

**Order of 19th November, 1910, of the Minister for Foreign Affairs, exempting from the Chancellor's office fee the sums deposited and recovered, as contemplated by official agreement annexed to the Franco-British arrangement of 3rd July, 1909.†**

16. *Décret du 23 novembre 1910, autorisant des dérogations à la durée du travail des enfants de moins de 18 ans et des femmes de tout âge pour le pliage et encartonnage des rubans.* (Bulletin de l'Office du Travail XVIII., 59.)

**Decree of 23rd November, 1910, authorising exemptions with respect to the working hours of children under 18 years of age and of women of any age in the work of folding and boxing ribbons.**

\* Title E.B. IV., p. 292, No. 5.

† Text E.B. IV., p. 163, and E.B. VI., p. 5.



1. The enumeration of the industries set forth in §5 of the Decree of 15th July, 1893, shall be completed as follows :—

“Folding and carding of ribbons.”

17. *Arrêté du Ministre du Travail et de la Prévoyance sociale du 12 décembre 1910, fixant le taux des subventions à allouer aux caisses de secours contre le chômage involontaire pour les indemnités versées au cours du premier semestre 1910.* (Bulletin de l'Office du Travail XVII., 1353.)

**Order of the Minister of Labour and Friendly Societies of 12th December, 1910, fixing the amount of the grants to be paid to the relief funds for the relief of involuntary unemployment, for benefits paid during the course of the first six months of 1910.**

18. *Arrêté du Ministre du Travail et de la Prévoyance sociale du 22 décembre 1910, maintenant pour l'année 1911 les primes, fixées par les arrêtés des 30 mars 1899 et 28 novembre 1906, relatifs aux sociétés d'assurances contre les accidents du travail.* (Bulletin de l'Office du Travail XVIII., 60; Journal officiel 1910, 10456.)

**Order of the Minister of Labour and Friendly Societies of 22nd December, 1910, continuing for the year 1911 the premiums fixed by the Orders of 30th March, 1899, and 28th November, 1906, relating to insurance companies dealing with industrial accidents.**

19. *Arrêté du Ministre du Travail et de la Prévoyance sociale du 22 décembre 1910, relatif au barème minimum déterminé pour la vérification des réserves mathématiques des sociétés d'assurances contre les accidents du travail.* (Bulletin de l'Office du Travail XVIII., 61; Journal officiel 1910, 10457.)

**Order of the Minister of Labour and Friendly Societies of 22nd December, 1910, relating to the minimum table fixed for providing the mathematical reserve of societies insuring against industrial accidents.**

20. *Loi du 28 décembre 1910, portant codification des lois ouvrières (livre 1er du Code du Travail et de la Prévoyance sociale).* (Bulletin de l'Office du Travail XVIII., 58.)

**Act of 28th December, 1910, on the consolidation of the labour laws (Book 1 of the Labour Code).**

21. *Décret du 29 décembre, 1910, fixant le taux de l'intérêt composé du capital, dont il est tenu compte dans les tarifs d'après lesquels est calculé le montant de la rente viagère à servir aux déposants de la Caisse Nationale des Retraites pour la Vieillesse.* (Bulletin de l'Office du Travail XVIII., 60.)

**Decree of 29th December, 1910, fixing the rates of compound interest on the capital taken into account in the tariffs according to which the amount of the life pension in favour of the depositors in the National Old Age Pension Fund, is calculated.**

22. *Décret du 29 décembre, 1910, homologuant une décision des délégations financières de l'Algérie, portant exemption des droits de timbre et d'enregistrement des contrats et certificats visés dans les premiers paragraphes des articles 2 et 3 de la loi du 2 juillet 1890, ayant pour objet d'abroger les dispositions relatives aux livrets d'ouvriers, modifiée par la loi du 26 décembre 1908.* (Bulletin de l'Office du Travail XVIII., 163.)

**Decree of 29th December, 1910, confirming a decision of the financial delegations of Algeria, giving exemption from the stamp and registration dues on contracts and certificates as contemplated in the first paragraphs of §§2 and 3 of the Act of 2nd July, 1890, the object of which is to repeal the provisions relating to the workmen's notebooks, modified by the Act of 28th December, 1908.\***

23. *Arrêté du Ministre des Travaux publics du 29 décembre 1910, sur les clauses et conditions générales imposées aux entrepreneurs des ponts et chaussées.* (Bulletin de l'Office du Travail XVIII., 519.)

**Decree of the Minister of Public Works of 29th December, 1910, relating to the general clauses and conditions imposed on contractors for bridges and roads.**

24. *Circulaire du Ministre des Travaux publics du 30 décembre 1910, relative à la rédaction des projets, à la passation des marchés et à l'exécution des travaux.* (Bulletin de l'Office du Travail XVIII., 527.)

**Circular of the Minister of Public Works of 30th December, 1910, relating to the drawing up of plans, the making of contracts, and the execution of work.**

25. *Circulaire du 7 janvier 1911, du Ministre du Travail, relative à l'application de l'article 10, §5 du décret du 29 novembre 1904, concernant la protection des échafaudages.* (Bulletin de l'Office du Travail XVIII., 177.)

**Circular of 7th January, 1911, of the Minister of Labour relating to the application of §10, Sub-section 5, of the Decree of 29th November, 1904, concerning the safeguarding of scaffolding.**

26. *Décret du 12 janvier 1911, relatif au numérotage des articles du livre 1er du Code du Travail et de la prévoyance sociale et de la mise en vigueur de la loi du 28 décembre 1910.* (Bulletin de l'Office du Travail XVIII., 163.)

**Decree of 12th January, 1911, relating to the numbering of the Sections in Book I. of the Code of Labour and the coming into force of the Act of 28th December, 1910.†**

27. *Arrêté du Ministre du Travail, du 12 janvier 1911, ouvrant des concours entre les caisses d'épargne ordinaires, les comités de patronage des habitations à bon marché, en vue de la diffusion d'idées et d'œuvres de prévoyance sociale.* (Bulletin de l'Office du Travail XVIII., 284.)

**Decree of the Minister of Labour of 12th January, 1911, initiating competitions between the ordinary Savings Bank and the Committees for promoting the erection of cheap dwellings, with a view of spreading ideas and works for social improvement.**

28. *Circulaire du 31 janvier 1911, du Ministre du Travail relative à l'application de la loi du 18 juillet 1907 sur la faculté d'adhésion à la législation des accidents du travail.* (Bulletin de l'Office du Travail XVIII., 286.)

**Circular of the 31st January, of the Minister of Labour, relating to the application of the Act of 18th July, 1907,‡ respecting the faculty of adhering to the legislation relating to industrial accidents.**

\* Text E.B. IV., p. 78, No. 21.

† Title E.B. VII., p. 366, No. 20.

‡ Text E.B. III., p. 67, No. 5.

29. *Décret du 24 mars 1911, portant règlement d'administration publique pour l'exécution de la loi du 5 avril 1910 sur les retraites ouvrières et paysannes* (Bulletin de l'Office du Travail XVIII., 406.)

**Decree of 24th March, 1911, issuing public administrative regulations for carrying out the Act of 5th April, 1910, respecting pensions for workmen and peasants.**

30. *Décret du 25 mars 1911, portant règlement d'administration publique pour l'exécution de la loi du 5 avril 1910 sur les retraites ouvrières et paysannes.* (Bulletin de l'Office du Travail XVIII., 366.)

**Decree of 25th March, 1911, issuing public administrative regulations for carrying out the Act of 5th April, 1910,\* respecting pensions for workmen and peasants.**

31. *Arrêté du 26 mars 1911, du Ministre du Travail concernant la justification de l'état civil des Français nés à l'étranger en vue de leur inscription sur la liste des assurés de la loi du 5 avril 1910 sur les retraites ouvrières.* (Bulletin de l'Office du Travail XVIII., 525.)

**Order of 26th March, 1911, of the Minister of Labour, relating to the proof of the civil position of Frenchmen born abroad, for the purpose of their enrolment on the list of insured persons under the Act of 5th April, 1910,\* with respect to workmen's pensions.**

32. *Loi du 27 mars 1911, portant modification de l'article 7 de la loi du 20 juillet 1886, relative à la caisse nationale des retraites pour la vieillesse, modifiée par l'article 61 de la loi 26 juillet 1893.* (Bulletin de l'Office du Travail XVIII., 366.)

**Act of 27th March, 1911, concerning modifications in §7 of the Act of 20th July, 1886, with respect to the National Fund for Old Age Pensions, modified by §61 of the Act of 26th July, 1893.**

SOLE SECTION. In substitution of §6 of the Act of 20th July, 1886, the pensions founded under the National Fund for Old Age Pensions by the Public Administrations for the benefit of their agents not admitted to the benefits of the Act of 9th June, 1853, respecting civil pensions, as also of their dependants, are not subjected to the limit of 1,200 frs. per person as fixed in the said Section.

33. *Arrêté du 30 mars 1911, des Ministres du Travail et des Finances concernant les justifications à fournir par les assurés obligatoires ou facultatifs de la loi du 5 avril 1910 sur les retraites ouvrières.* (Bulletin de l'Office du Travail XVIII., 525.)

**Order of 30th March, 1911, of the Ministers of Labour and of Finance, relating to the proofs to be furnished by persons compulsorily or optionally insured under the Act of 5th April, 1910, with respect to workmen's pensions.**

34. *Circulaire du 30 mars 1911 du Ministre du Travail relative à l'interdiction des retenues sur les salaires pour assurance contre les accidents du travail.* (Bulletin de l'Office du Travail XVIII., 629.)

**Circular of 30th March, 1911, of the Minister of Labour relating to the prohibition of deductions from wages for insurance against industrial accidents.**

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\* Text E.B. V., p. 361.

35. *Arrêté du 6 avril 1911, du Ministère du Travail concernant les bonifications spéciales des rentes viagères prévues par la loi du 31 décembre 1895, relative à la majoration des pensions de la Caisse nationale des retraites.* (Bulletin de l'Office du Travail XVIII., 526.)

**Order of 6th April, 1911, of the Ministry of Labour relating to the special granting of life pensions as contemplated under the Act of 31st December, 1895, respecting the increase of the pensions from the National Pension Fund.**

36. *Décret du 7 avril 1911, réglementant les contrats de travail en Afrique équatoriale française.* (Bulletin de l'Office du Travail XVIII., 518; Journal officiel 1911, 2979.)

**Decree of 7th April, 1911, regulating the labour contracts in French Equatorial Africa.**

37. *Arrêté du 25 avril 1911, des Ministres des Finances et du Travail concernant l'encaissement par les sociétés de secours mutuels ou les caisses de retraites de syndicats professionnels des cotisations des bénéficiaires de la loi du 5 avril 1910 sur les retraites ouvrières et paysannes.* (Bulletin de l'Office du Travail XVIII., 629; Journal officiel 1911, 3672 et 3747.)

**Order of 25th April, 1911, of the Ministers of Finance and of Labour, relating to the collection by the Friendly Societies or the Pension Funds of trade associations, of the subscriptions of beneficiaries under the Act of 5th April, 1910,\* respecting pensions for workmen and peasants.**

38. *Décret du 13 mai 1911, approuvant le règlement des retraites du personnel du réseau des chemins de fer de l'Etat.* (Bulletin de l'Office du Travail XVIII., 629; Journal officiel 1911, 3944 et 3971.)

**Decree of 13th May, 1911, approving the Regulations for the pensioning of the staff of the State Railway System.**

39. *Circulaire du Ministre du Travail du 20 mai 1911, relative à l'exercice, par les délégués mineurs, de leurs attributions concernant le contrôle des conditions du travail.* (Bulletin de l'Office du Travail XVIII., 723.)

**Circular of the Minister of Labour of 20th May, 1911, relating to the exercise by miners' delegates of their powers respecting the control of working conditions.**

40. *Décret du 22 mai 1911, fixant, pour l'année 1912, la quotité des taxes pour la contribution au fonds de garantie en matière d'accidents du travail.* (Bulletin de l'Office du Travail XVIII., 629; Journal officiel 1911, 4168.)

**Decree of 22nd May, 1911, fixing for the year 1912 the quota of the taxes to be contributed to the guarantee fund for accidents to workers.**

41. *Décret du 2 juin 1911, modifiant le décret du 29 novembre 1904 sur l'hygiène et la sécurité des travailleurs.* (Bulletin de l'Office du Travail XVIII., 718; Journal officiel 1911, 4168.)

**Decree, dated 2nd June, 1911, modifying the Decree dated 29th November, 1904, relating to the health and safety of workers.**

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\* Text E.B. V., p. 361.

1. §§16, 17, and 20 of the Decree dated 29th November, 1904, modified by the Decree dated 22nd March, 1906,\* are repealed, and are substituted by the following regulations :—

" 16. (a) (*Exits*).—The doors of workshops, offices, and store-rooms where more than 10 employees or workers are employed, and, irrespective of the size of the staff, the doors of workshops, store-rooms, or offices in which inflammable materials are handled, and those of shops, must open outwards, whether they open on to yards, vestibules, passages, staircases, and other means of exit to the interior, or whether they are exit doors. In the latter case, this precaution shall only be compulsory when it is considered indispensable in the interests of safety. In the event of disputes between the managers of establishments and the Labour Inspectorate, the matter shall be settled by decision of the Minister of Labour.

" Should the doors open on to a passage or staircase, they shall be arranged in such a way that when the doors are opened to their fullest extent, the total amount of space occupied by them in such exit shall not exceed their total thickness.

" There must be a sufficient number of exits to allow of the building being rapidly evacuated ; they shall always be clear, and never blocked up with goods, stocks, or other articles.

" In large establishments, prominent notices must be posted up showing the direction of the nearest exit. Moreover, if electric lighting is installed there shall also be a system of auxiliary lighting.

" In workshops, store-rooms, and offices where inflammable materials are handled, no normal working place shall be situated at more than ten meters from an exit. Exit doors which are not generally used shall, during working hours, be capable of being easily opened from the inside, and must be distinguished by the words ' Emergency Exit ' in prominent letters.

" In workshops, store-rooms, or offices where inflammable materials are handled, if the windows are provided with a grating or wire-work, this grating or wire-work shall be capable of easy opening from the inside.

" 16. (b) (*Staircases*).—The staircases leading from the working places shall be constructed either of fire-proof material or of wood covered with plaster to a thickness of at least three centimeters, or shall be protected by a covering of equal efficiency.

" The number of these staircases shall be calculated so that every storey of a building containing workshops may be immediately evacuated.

" Every staircase which allows at most 20 persons to leave at the same time must be at least one meter in width ; this width must be increased by 15 centimeters for each additional portion of the staff varying in number from one to fifty.

" A decision of the Minister of Labour and Friendly Societies, taken after consultation with the Consultative Committee of Arts and Manufactures, may require a minimum number of two staircases, whenever this is necessary for the safety of the workers.

" The minimum width of halls arranged inside the building, and of the passages leading to the staircases, must be fixed in accordance with the above-mentioned stipulation in regard to staircases.

" These halls and passages must be kept clear of all obstructions such as furniture, seats, goods, or material.

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\* Title E.B. I., p. 188.

" 17. (a) (*Lighting and Heating*).—For the purposes of lighting and heating, no liquid which gives off inflammable fumes at a temperature of less than 35 degrees, shall be used, unless the apparatus containing the liquid is firmly fixed when working; the portion of this apparatus containing the liquid must be oil-tight, so as to prevent all leakage of the liquid.

" During the hours the staff are at work, the filling of the lighting apparatus, as also of the heating apparatus for liquid fuel, either in the working places or in the passages or on the staircases, shall only be carried out by daylight, and provided that no fires are alight.

" The piping through which the gas flows to the lighting and heating apparatus must be either of metal or be metal covered, or efficiently protected by some fireproof material.

" The flames of the portable lighting or heating apparatus must be at a distance of at least one meter in a vertical direction and at least 30 centimeters sideways from all combustible parts of the building, and from the furniture or goods; shorter distances may be permitted in case of necessity in regard to the walls and ceilings, provided a fireproof screen is inserted, which shall not touch the part to be protected.

" Portable lighting apparatus must be strongly and rigidly supported.

" Fixed or portable lighting apparatus must, should the necessity for so doing be recognised, be provided with a glass, a globe, and a piece of wire gauze or other device suitable for preventing the flame from coming into contact with inflammable materials.

" All inflammable liquids, as also rag and cotton waste soaked in the above or greasy substances, must be kept in enclosed and tight-fitting metal vessels.

" These vessels, as also the gasometers and the reservoirs for oil, lighting petroleum, or petrol, must be kept in isolated places, and never near passages or staircases.

" In establishments where electric currents are made use of, the persons in charge must, moreover, conform to all the provisions which are or may be enacted for the application of §3 of the Act dated 12th June, 1893, modified by the Act dated 11th July, 1903, in regard to safety in the establishments referred to in the present paragraph.

" 17. (b) (*Instructions in the event of fire*).—Managers of establishments shall take the necessary precautions for dealing promptly and efficiently with every outbreak of fire, with a view to the safety of the staff.

" An instruction sheet posted up in each working place shall indicate the extinguishing and life-saving apparatus which should be found there, and the method of procedure to be followed in the event of fire, together with the names of those persons appointed in charge of the same.

" The instruction sheet shall prescribe periodical examinations and trials for the purpose of ascertaining that the apparatus is in good working order and that the staff is properly trained to make use thereof.

" Particulars of this instruction sheet shall be forwarded to the Labour Inspectorate; the manager of the establishment shall be entrusted with the enforcement of these regulations.

" 20. The Minister of Labour and Friendly Societies shall be empowered, after consultation with the Consultative Committee of Arts and Manufactures, by Order issued on the report of the Labour Inspectors, to grant to any establishment a permanent or temporary exemption from the whole or part of the

provisions contained in §§1 (paragraph 3), 5 (paragraphs 2 and 5), 9, 10 (paragraph 6), and 16 (a) (last paragraph) and (b) (last paragraph but one), should it be recognised that it is practically impossible to apply these provisions, and that the health and safety of the workers are assured under conditions at least equivalent to those fixed by the present Decree."

2. The Minister of Labour and Friendly Societies shall be responsible for the due enforcement of the present Decree, which shall be published in the "Journal officiel" of the French Republic and inserted in the "Bulletin des Lois."

42. *Arrêté du Ministre du Travail du 22 juin 1911 constituant, auprès de la statistique générale de la France, un comité permanent d'études relatives à la prévision des chômages industriels.* (Bulletin de l'Office du Travail, XVIII., 722; "Journal officiel" 1911, 5062.)

**Order of the Minister of Labour of 22nd June, 1911, constituting in the Department for General Statistics of France a permanent commission for the study of questions relating to measures of precaution against industrial unemployment.**

43. *Arrêté du Ministre du Travail et de la Prévoyance sociale du 23 juin 1911, fixant le taux des subventions à allouer aux caisses de secours contre le chômage involontaire pour les indemnités versées au cours du second semestre 1910.* (Bulletin de l'Office du Travail XVIII., 722.)

**Order of the Minister of Labour and Friendly Societies of 23rd June, 1911, fixing the rates of subvention to be allowed to the funds for rendering assistance in cases of involuntary unemployment for the benefits paid in the course of the second half-year of 1910.**

44. *Arrêté du Ministre du Travail du 1er juillet 1911, déterminant les groupements des professions visées à l'article 83 du règlement d'administration publique du 25 mars 1911, pour l'exécution de la loi sur les retraites ouvrières.* (Bulletin de l'Office du Travail, XVIII., 815.)

**Decree of the Minister of Labour, of the 1st July, 1911, fixing the grouping of the occupations contemplated in §83 of the public administrative regulations of the 25th March, 1911, for carrying out the Act on Workmen's Pensions.**

1. Syndicate Funds (caisses syndicales) and Funds of Mutual Guarantee Syndicates (caisses des syndicats de garantie solidaire) shall not be formed except among employers exercising the occupations pertaining to one of the groups hereunder fixed:—

- (1) Agriculture, forests, fisheries;
- (2) Agricultural and forest industries, mills, sugar works, distilling, food industries;
- (3) Chemical and similar industries, colouring materials, lighting and electric works;
- (4) Paper and cardboard factories, printing works, polygraphic industries;
- (5) Metallurgy, blast furnaces, forges and steel works, boiler works, foundries, and mechanical construction;
- (6) Hides and skins, leather dressing, tanning, glove factories;
- (7) Materials for construction, buildings, ship-yards, public works, excavations, mining industries, and quarries;

(8) Wood industries, cabinet making, manufacture of toys and games, brush factories, basket making ;

(9) Potteries, china and earthenware works, glass-works ;

(10) Textile industries, making up materials, clothing ;

(11) Conveyance by land and water, undertakings for loading and discharging goods ;

(12) Commerce, banking, insurance, and similar undertakings ;

(13) Liberal professions, educational establishments, public amusements.

2. As regards the application of the present Decree, when a person employs, by way of accessory to his own business, paid workers appertaining to an occupation included under another group than the principal work undertaken, the said paid workers may, nevertheless, be insured with the same fund.

45. *Articles 3 et 4 de la loi de finances du 13 juillet 1911, relatifs aux habitations à bon marché.* (Bulletin de l'Office du Travail XVIII., 811.)

**§§3 and 4 of the Financial Act dated 13th July, 1911, relating to cheap dwellings.**

3. The first and second paragraphs of §5 of the Act dated 12th April, 1906,\* relating to cheap dwellings shall be replaced by the following regulations :—

“The advantages granted by the present Act shall apply to houses intended for tenement dwellings, when the actual rental value of each tenement does not exceed the maximum amounts determined hereafter at the time of building.”

The twelfth paragraph of the said Section shall be replaced by the following regulations :—

“Private houses, the actual rental value of which does not exceed the figure fixed above by more than one-fifth, shall also benefit by the advantages resulting from the Act. Gardens of an area not exceeding five ares adjacent to buildings, or gardens not exceeding ten ares in extent separate from buildings and belonging to the same owner in the same locality, shall be considered as dependencies of the house within the meaning of the Act, except in regard to temporary exemption from land tax.”

4. Owners of cheap dwellings who have been refused exemption from the taxes stipulated in §5 of the Act dated 12th April, 1906, owing to failure to produce the health certificate required in the said Section within the time limit stipulated in §59 of the Decree dated 10th January, 1907,† shall be at liberty to present a further request, within a period of six months reckoned from the promulgation of the present Act, provided that they produce the certificate referred to above within the said period.

46. *Article 40 de la loi de finances du 13 juillet 1911, relatif à la Caisse des Invalides de la Marine.* (Bulletin de l'Office du Travail XVIII., 812.)

**§40 of the Financial Act dated 13th July, 1911, relating to the Disabled Seamen's Fund.**

40. The period of service on barges, lighters, or other floating craft which are not self-propelled, and which are not generally used for service at sea, shall continue to be reckoned in the calculation of length of service

\* Text E.B. I., p. 442

† Title E.B. II., p. 33.



necessary for qualifying for a pension from the Disabled Seamen's Fund, in the case of registered seamen who, prior to the coming into force of the Act of 14th July, 1908,\* were employed on barges, lighters, or other floating craft and who were inscribed on the ship's register.

Contrary to the provisions of §3, paragraph 3, of the Act of 14th July, 1908, registered seamen, whoever they may be, engaged on barges, lighters, or other floating craft, may be inscribed on the ship's register, and may be considered as sailors by profession. The conditions to be fulfilled by these barges, lighters, or other floating craft shall be established by public administrative regulations drawn up by the Ministers of Marine, Public Works, and Finance.

47. *Article 56 de la loi de finances du 13 juillet 1911, relatif à la composition du Conseil du réseau des Chemins de fer de l'Etat.* (Bulletin de l'Office du Travail XVIII., 1,004.)

**§56 of the Financial Act of 13th July, 1911, relating to the composition of the Board of the State Railways.**

56. The Railway Board shall consist of 21 members appointed by Decree, on the proposal of the Minister of Public Works, consisting of four railway representatives selected by the Minister from amongst the delegates elected in the various railway committees or commissions, and seven members elected from among the chambers of commerce and agricultural societies of those districts served by the railway, and the others from among the members of the State Council, the road and bridge engineers, and mine engineers, civil engineers, and inspectors of finance.

The manager and sub-managers shall be admitted to the sittings of the Board with a right to vote, as also the head officials who are appointed to be present by the manager.

A chairman and a vice-chairman shall be appointed by the Minister of Public Works from among the members of the Board; their term of office shall be two years; on the expiration of this term they may be re-appointed.

The members of the Board shall be elected for four years. One-half of the Board shall be re-elected every two years; the first partial re-election shall take place in the month of December of the third year, reckoning from the time at which the Board takes up its duties. The powers of the retiring members may be renewed.

Members who no longer carry out the duties for which they have been elected shall no longer be entitled to take part in the proceedings.

48. *Article 76 de la loi de finances du 13 juillet 1911, relatif aux pensions des ouvriers des magasins de transit des manufactures de l'Etat.* (Bulletin de l'Office du Travail XVIII., 812.)

**§76 of the Financial Act of 13th July, 1911, relating to pensions for workers employed in temporary warehouses of State manufactured goods.**

76. From the 1st January, 1911, the Regulations contains in §95 of the Financial Act of 8th April, 1910,† shall apply to workers definitely enrolled on the staff of temporary warehouses of State manufactured goods.

\* Text E.B. III., p. 358.

† Title E.B. VI., p. 164, No. 11.

49. *Article 77 de la loi de finances du 13 juillet 1911, relatif aux pensions de retraite des préposés et agents techniques de l'administration des manufactures de l'Etat.* (Bulletin de l'Office du Travail XVIII., 812.)

**§77 of the Financial Act of 13th July, 1911, relating to retiring pensions of technical officials and agents of the Department of State manufactured goods.**

77. The minimum retiring pension granted to technical officials and agents of the Department of State manufactured goods shall be based upon the average amount of the salaries and additional remuneration which the person entitled to the pension has received during the last six years of his service. It shall be reckoned at the rate of one-sixtieth of such average for each complete year of service spent in the establishments of the Department, and one-ninetieth of such average for each year of military service or in another State Department, provided, however, that such services have not been remunerated by a pension.

The minimum pension thus established shall not exceed two-thirds of the average remuneration, but it shall, if necessary, be allowed to accumulate with the military pension.

In regard to officials recruited in virtue of §69 of the Act dated 21st March, 1905, the maximum pension shall be fixed at one-half of the average remuneration.

The provisions of the present Section shall apply to pensions paid out from 1st January, 1911.

50. *Article 84 de la loi de finances du 13 juillet 1911, relatif aux pensions du personnel civil d'exploitation des établissements militaires.* (Bulletin de l'Office du Travail XVIII., 813.)

**§84 of the Financial Act dated 13th July, 1911, relating to pensions granted to the civil staff of military departments.**

84. The minimum pension guaranteed by §10 of the Decree dated 26th February, 1897, to the civil staff of military departments of the War Office is raised to 600 francs for men and 400 francs for women.

By modification of the provisions of §50 of the Financial Act dated 26th December, 1908, workers, employees, or agents of the said departments, who are affected by the Decree dated 26th February, 1897, and who comply with the conditions laid down in §14 of this Decree, shall receive an additional income, so that the life annuity paid by the national retiring pension fund shall reach a minimum of 600 francs for men and 400 francs for women.

51. *Article 95 de la loi de finances du 13 juillet 1911, sur le repos hebdomadaire des clercs des études d'officiers ministériels.* (Bulletin de l'Office du Travail XVIII., 813.)

**§95 of the Financial Act dated 13th July, 1911, relating to the weekly rest of clerks in the offices of Government officials.**

95. The Act dated 13th July, 1906,\* relating to weekly rest shall apply to clerks in the offices of Government officials.

The disciplinary chambers, under the control of the prosecuting magistrates, shall be responsible for the enforcement of the preceding paragraph.

\* Text E.B. I., p. 287, No. 3.

52. *Article 119 de la loi de finances du 13 juillet 1911, sur les subventions aux bureaux municipaux de placement.* (Bulletin de l'Office du Travail, XVIII., 813.)

**§119 of the Financial Act dated 13th July, 1911, relating to subsidies granted to municipal employment bureaux.**

119. The use of the open credit with the Minister of Labour and Friendly Societies for the purpose of subventions to the municipal employment bureaux shall be regulated by a Decree countersigned by the Minister of Labour and Friendly Societies and by the Minister of Finance.

An annual report of the Minister of Labour to the President of the Republic, inserted in the "Journal officiel," shall give particulars of the working of this department and of the distribution of the credit.

53. *Articles 121, 122, et 123 de la loi de finances du 13 juillet 1911, relatifs aux retraites ouvrières et paysannes.* (Bulletin de l'Office du Travail, XVIII., 814.)

**§§121, 122 and 123 of the Financial Act dated 13th July, 1911, relating to pensions for workmen and peasants.**

121. The annual sum assigned to the communes for the purpose of indemnifying them for their contribution to the working of the Act dated 5th April, 1910,\* relating to pensions for workmen and peasants, shall be fixed at 15 centimes for every insured person.

Nevertheless, as an exceptional case, and owing to special expenses resulting from the inauguration of the Act, a supplementary grant of 5 centimes for every person insured shall be distributed to the communes for the financial year 1911.

122. The Minister of Finance shall be authorised to make the advances necessary for covering their initial expenses out of the Treasury funds to the district or departmental funds referred to in §14 of the Act dated 5th April, 1910, and subject to the conditions stipulated in §38 of the said Act.

Such expenses shall be carried to one of the Treasury accounts, which shall be settled not later than the 31st December, 1912.

123. The maximum value of the current account to be opened with the Treasury in regard to unused amounts belonging to the Insurance Funds affected by the Act dated 5th April, 1910, for granting pensions to workmen and peasants, the financial administration of which is in the hands of the Deposit Fund (Caisse des Dépôts et Consignations) in virtue of §15 of the said Act, is fixed at 30,000,000 francs (thirty million francs).

The rate of interest allowed by the Treasury shall be the same as that allowed on current accounts by the Deposit Fund.

54. *Article 139 de la loi de finances du 13 juillet 1911, relatif aux ouvriers mineurs atteints d'ankylostomiase.* (Bulletin de l'Office du Travail, XVIII., 814.)

**§139 of the Financial Act dated 13th July, 1911, relating to miners suffering from ankylostomiasis.**

139. The expenses for medical, pharmaceutical, and hospital treatment which it is necessary to give to miners suffering from ankylostomiasis shall be borne by the party responsible for the working of the mine from the promulgation of this Act onwards.

\* Text E.B. V., p. 361.

For the whole time during which this treatment is necessary, miners under treatment shall receive a daily allowance, in accordance with the Act dated 9th April, 1898, relating to industrial accidents.

A public administrative regulation shall determine the conditions under which the text of the present Act shall be applied.

55. *Article 140 de la loi de finances du 13 juillet 1911, accordant, en cas de couches, un congé de deux mois, avec traitement entier, au personnel féminin des Postes, Télégraphes, et Téléphones.* (Bulletin de l'Office du Travail XVIII., 815.)

**§140 of the Financial Act dated 13th July, 1911, granting a leave of absence of two months, with full treatment, to the female staff of the Department of Posts, Telegraphs, and Telephones, in the event of confinement.**

140. The provisions of the Act dated 15th March, 1910, granting leave of absence for two months, together with full treatment, to teachers in the case of confinement, in addition to the periods of leave for illness provided for by the Decree dated 9th November, 1853, shall apply to the female staff of the Department of Posts, Telegraphs, and Telephones.

56. *Loi du 13 juillet 1911, portant addition d'un paragraphe à l'article 9 de la loi du 29 décembre 1905 portant sur la caisse de prévoyance contre les risques et accidents des marins.* (Bulletin de l'Office du Travail XVIII., 815.)

**Act of 13th July, 1911, adding a paragraph to §9 of the Act of 29th December, 1905,\* dealing with the provident fund insuring against risks and accidents to which seamen are exposed.**

SOLE SECTION.—§9 of the Act of 29th December, 1905, is completed by the addition of a fourth paragraph in the following terms :

"When members have left a widow or orphans and these should die, their lineal descendants, if any such are still living, shall be entitled to the life benefits which are granted to them on the conditions fixed by the first three paragraphs of this Section."

57 and 58. *Décrets du 8 octobre 1911, relatifs : 1° aux mesures de protection et de salubrité dans les verreries ; 2° au travail des enfants dans les verreries.* (Bulletin de l'Office du Travail XVIII., 1124.)

**Decrees of 8th October, 1911, relating (1) to health and safety precautions in glass works, (2) to the work of children in glass works.**

1. *Decree relating to health and safety precautions in glass works.*

1. In glass works where glass-blowing is done by the mouth, the works proprietors, managers, or foremen shall, irrespective of the general measures prescribed by Acts and Regulations dealing with the health and safety of the workers, adopt special health and safety precautions as set forth in the following sections :

2. A medical man appointed by the proprietor of the establishment shall be entrusted with the duties of medical supervision. The remuneration of this medical man shall be at the charge of the undertaking.

Workers shall not be allowed to undertake any work necessitating the common use of one blow-pipe, except by the written certificate of this medical man, to the effect that they are not suffering from any contagious disease,

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\* Tiite E.B. I., p. 14.

at a stage in which such illness is capable of being transmitted by the blow-pipe.

This certificate shall be renewed—(1) in bottle works, once every 14 days; (2) in other glass works, on every occasion that the workman shall be away from his work on account of sickness for more than 14 days.

3. A special register which shall be always kept up to date and at the disposal of the labour inspector shall state for each worker :

(1) The dates and duration of absences from work on account of any sickness whatever ;

(2) The dates of the certificates presented in justification of these absences, the particulars of a medical character entered therein, with the precise addition of the words " fit " or " unfit."

The name of the medical man who has issued the certificates, as also the name, age, and special technical qualifications of each worker examined.

4. In glass works, where glass-blowing is carried on successively by several workers, by means of one and the same blowpipe, all blowpipes which have been used by the preceding shift must be disinfected before the commencement of work by each shift of workers. This disinfection shall be effected either by passing the blow-pipes through the fire or by any other efficient method.

5. The above regulations shall not be necessary in the event of the same blow-pipe being used only by one and the same worker. The proprietors, managers, or foremen of establishments shall, in that event, be required to place at the exclusive disposal of each of the workers employed under these conditions, one or more blow-pipes, each bearing a special distinctive mark. Each of these workers shall likewise have at his exclusive disposal a box or cupboard with lock and key in which he may keep his blow-pipes.

6. The Minister of Labour and Friendly Societies is entrusted with the carrying out of the present Decree, which shall be published in the " Journal officiel " of the French Republic and inserted in the " Bulletin des Lois."

## 2. *Decree relating to the work of children in glass works.*

1. Paragraphs 1 and 2 of §7 of the Decree of 13th May, 1893, modified by the Decrees of 21st June, 1897, 20th April, 1899, 3rd May, 1900, 22nd November, 1905,\* 7th March,† 10th September,‡ and 15th December,\*\* 1908, and 7th March, 1910,\*† shall be repealed and substituted by the following regulations :

" Children under the age of 15 shall not be employed in taking out glass-metal by the blow-pipe in bottle and flint glass works, nor, under the age of 14, in other glass works.

" Children under 16 years of age shall not be employed in glass-blowing in bottle and window-glass works, nor, under the age of 14, in other glass works.

" The weight of glass handled by children from 14 to 16 years of age shall not exceed 1,000 grams.

\* Text E.B. I., p. 10, No. 3.

† Text E.B. III., p. 79, No. 24.

‡ Text E.B. IV., p. 74, No. 12.

\*\* Text E.B. IV., p. 78, No. 20.

\*† Text E.B. V., p. 375, No. 4.

"Children shall not be employed in the drawing of glass in the form of tubes or rings before the age of 15. Nevertheless, with the exception of Venetian bead works, children may be employed on glass drawing from the age of 14, provided that the weight handled by the child does not exceed 5 kilograms, including the blow-pipe.

"Children up to 18 years of age shall be given the means of protecting the face against the radiation from the working holes (side openings) during the operation of extracting the glass or of the reheating of the pieces; for this purpose the manufacturer shall be required to place at their disposal suitable protective appliances, prescribing the method of using them, and shall ensure that these are maintained in proper condition."

2. The tables A, B, and C attached to the Decree of 13th May, 1893, shall be modified according to the tables attached to the present Decree.

3. The regulations of the present Decree shall come into force one year after its publication.

4. The Minister of Labour and Friendly Societies is entrusted with the carrying out of the present Decree, which shall be inserted in the "Bulletin des Lois" and published in the "Journal officiel" of the French Republic.

#### TABLES.

1. Items to be added to those named in Table A of the Decree of 13th May, 1893 :

<i>Work.</i>	<i>Reason for Prohibition.</i>
Fine glass and enamelled works (demolition of the furnaces and cleaning of the materials which are derived therefrom) ..	Dangerous dust.
Glass works (demolition of furnaces) .. .. .	Noxious dust.
Common glass (decoration by the discharge process) .. .. .	Dangerous dust.
Fine glass "mousseline" (manufacture of) .. .. .	Dangerous dust.

2. Articles to be omitted from those listed in Table A of the Decree of 13th May, 1893 :

<i>Work.</i>	<i>Reason for Prohibition.</i>
Enamels (scraping of) in fine glass works .. .. .	Noxious dust.

3. Articles to be added to those listed in Table B of the Decree of 13th May, 1893 :

<i>Work.</i>	<i>Reason for Prohibition.</i>
Common glass and crystal glass (engraving and frosting of these by means of hydrofluoric acid) .. .. .	Freeing of dangerous vapours and necessity of prudent and attentive manipulation.
Common glass (frosting of) .. .. .	Noxious dust.

4. Articles to be modified as listed in Table C of the Decree of 13th May, 1893 :

Work.	Conditions.	Reason.
Common glass, crystal glass, and mirror works.	Children under 18 years of age, girls under age, and women shall not be admitted either into the workshops where dust is liberated, or employed on work in which poisonous substances are used.	Dangerous dust.

59. *Décret du 12 octobre 1911, déterminant les prescriptions particulières relatives au travail du ciment à prise rapide.* (Bulletin de l'Office du Travail XVIII., 1256.)

**Decree of 12th October, 1911, fixing the special regulations relating to the use of quick-setting cement.**

1. Principals, managers, or foremen of works shall see that a notice, pointing out the hygienic precautions to be taken, is distributed to those workers who use quick-setting cement.

The text of this notice shall be drawn up by Ministerial Order.

2. The Minister of Labour and Friendly Societies is entrusted with the carrying out of the present Decree, which shall be inserted in the "Bulletin des Lois" and published in the "Journal officiel" of the French Republic.

60. *Décret du 25 octobre 1911, réglant l'emploi du crédit inscrit au budget pour subventions aux bureaux municipaux de placement gratuit.* (Bulletin de l'Office du Travail XVIII., 1128.)

**Decree of 25th October, 1911, regulating the employment of monies included in the budget for grants to the municipal labour exchanges for filling situations without payment of fees.**

1. Communes, in which labour exchanges or bureaux, at which no fees are charged, have been in operation for three months at least and which comply with the conditions fixed by the present Decree, may participate in the State grants.

2. Every labour bureau shall be placed under the control of a representative committee, composed of masters and workers or employees chosen from among the principal trades, likely to make use of the labour bureau, in the proportion of one-half masters and one-half workers.

3. Should several municipal labour bureaux for one and the same trade exist in a single commune, the State subsidy shall be granted to one bureau only.

Those bureaux which have arranged amongst each other for the regular and prompt interchange of information respecting the applications for, and offers of, employment, shall, however, be reckoned as one and the same bureau.

4. On presentation of the first application for a grant, the municipality shall submit to the Ministry of Labour and Friendly Societies a copy of the working regulations of the labour bureau which makes the application.

Any modification in the regulations shall be at once communicated to the Ministry of Labour.

5. The regulations of the bureau shall determine the method of recruiting the members of the representative committee, the term of their office, the procedure followed in appointing the President, who shall not be either an employer, or a worker or employee, the periods of the sittings, the procedure adopted for controlling the business of the bureau, the relations of the committee with the municipal authorities, any indemnities or daily allowances to the members, etc.

At every meeting, the masters and workers or employees shall only vote in equal numbers. The President shall have no right to vote.

6. The regulations shall, furthermore, determine the functions and remuneration of the agent or agents entrusted with the work of obtaining employment and the general conditions which prevail in conducting the bureau (the hours of opening, method of inscription, acceptance of offers and applications by correspondence, etc.).

7. Should the agent of the labour bureau be informed of the existence of a strike or a lock-out, the municipal bureau shall continue to carry out its duties, but the agent shall be required to warn every person out of employment of the position of the strike or lock-out, when such person is offered employment in an enterprise affected directly or indirectly by the dispute.

8. The grants shall be made half-yearly. The monies granted by the budget shall be divided into two equal portions for each half-yearly distribution.

For each of these distributions the Minister of Labour and Friendly Societies shall, after consultation with the committee, as contemplated in §15 hereunder, and in accordance with §10, fix the rate at which the monies shall be distributed among the municipalities. The Ministerial decision shall be published in the "Journal officiel" and the "Bulletin de l'Office du Travail."

9. The amount of the grants shall be fixed by Ministerial Order in the six months following the last day of the half-year to which they apply.

The deduction of the corresponding outlay shall be determined by the date of the Ministerial Order referred to in the present Section.

10. The grant shall be divided into two parts :

(a) In regard to local employment, an amount shall be assigned, calculated in proportion to the expenditure reckoned on the ordinary funds of the Communal Budget for the labour exchange service, taking into account the number of situations filled, but without exceeding the maximum limit hereunder indicated :

15 per cent. of the expenses for every bureau which shall have filled a monthly average of 25 to 50 situations ;

20 per cent. of the expenses for every bureau which shall have filled a monthly average of 51 to 100 situations ;

25 per cent. of the expenses for every bureau which shall have filled a monthly average of 101 to 200 situations ; and

30 per cent. of the expenses for every bureau which may have filled a monthly average of more than 201 situations.

(b) Should the bureau ensure an interlocal labour exchange service by interchange with the municipal bureaux established in the neighbouring communes, a special grant shall be assigned to it, equal to one-half the special expenses of such interlocal service, viz. : expenses of correspondence, including telegraphic and telephonic communications between town and



town. The expenses of the interlocal service shall be kept as a separate account.

When the grant, calculated according to the above rules, includes a fraction, the centimes shall be omitted and the sum shall be increased by 1 franc.

11. No grant shall be assigned for any bureau which has not filled at least an average of 25 situations a month.

12. Every municipality desirous of participating in the grants shall forward to the Minister of Labour and Friendly Societies, between 1st January and 15th February of each year, a statement duly certified, in which shall be shown :

(a) The number of offers of, and applications for, employment received during the previous year ;

(b) The number of situations filled either permanently or by the day, or as extra help, stating finally the number of situations filled by the interlocal service ;

(c) The cost of filling the situations, and indicating separately, should the case occur, the details of the expenses connected with the interlocal service.

The necessary forms will be supplied by the Minister of Labour and Friendly Societies.

13. The statements contemplated in the preceding Section may be substituted, in virtue of Ministerial authorisation, after consultation with the committee appointed for the assignment of grants, by a copy of the general and financial account of the employment bureau, when this account is published and contains adequate information.

14. The municipalities shall be required to furnish to the Ministry of Labour and Friendly Societies, the explanations which may be required of them and, if necessary, to have the accounts of their employment bureaux audited.

15. A committee shall be formed for the distribution of the grants to the municipal employment bureaux, where no fees are charged, consisting as follows :

A senator ;

A deputy ;

The director of labour ;

The director or chief of the Ministerial Cabinet ;

The general director of public accounts or his delegate ;

An inspector of finance ;

The sub-director of labour ;

Two representatives of the municipalities, who have established municipal representative employment bureaux where no fees are charged.

Two master members and two workmen members of the Higher Labour Council, elected by their colleagues.

16. The members of the committee contemplated in the foregoing Section shall be appointed each year by the Minister of Labour and Friendly Societies.

17. The annual report of the working of the organisation and the distribution of the monies shall be inserted in the " Journal officiel " and the " Bulletin de l'Office du Travail."

18. The Minister of Labour and Friendly Societies and the Minister of Finance are entrusted, each according to his department, with the carrying out of the present Decree, which shall be published in the "Journal officiel" and the "Bulletin des Lois."

61. *Circulaire du 15 novembre 1911, du Ministre du Travail, aux Préfets, sur les subventions aux bureaux municipaux de placement gratuit.* (Bulletin de l'Office du Travail XVIII., 1130.)

**Circular of 15th November, 1911, of the Minister of Labour, addressed to the prefects, respecting the grants to the municipal employment bureaux in which no fees are charged.**

62. *Décret du 30 novembre 1911, interdisant l'emploi dans les établissements de l'industrie textile, des cotons, ouates, gazes et autres objets ayant servi à des pansements.* (Bulletin de l'Office du Travail XIX. 74.)

**Decree of 30th November, 1911, prohibiting the employment in textile works, of cotton, cotton-wool, gauze and other materials, which may have been used for surgical dressings.**

1. The handling, treatment and use of cottons, cotton-wools, gauzes, taffetas, and other similar materials, having been used as surgical dressings, is prohibited in the rag-stores and rag-sorting rooms, in the rag bleaching works, in unravelling, cutting-up and ropemaking workshops, and in other workshops connected with the textile trade.

2. The period of delay accorded for the enforcement of the present regulations is fixed at three months, reckoning from their promulgation.

3. The Minister of Labour and Friendly Societies is entrusted with the carrying out of the present Decree, which shall be published in the "Journal officiel" of the French Republic and inserted in the "Bulletin des Lois."

63. *Arrêté du Ministre du Travail et de la Prévoyance sociale du 14 décembre 1911, déterminant le texte de l'avis indiquant les précautions hygiéniques à prendre dans l'emploi du ciment.* (Bulletin de l'Office du Travail XIX., 72.)

**Order of the Minister of Labour and Friendly Societies of 14th December, 1911, determining the text of the notice pointing out the hygienic precautions to be taken in the use of cement.**

In pursuance of §2, paragraph 3, of the Decree of 12th October, 1911,\* the statement attached below shall be distributed to workers in the cases contemplated in paragraphs 1 and 2 of the said Section.

*Warning in regard to Hygienic Precautions to be taken in the use of Cement.*

Seeing that a special skin disease, although very rare, attacks certain workmen who are liable to it, by contact of exposed parts of the body with cement, the attention of contractors and workers is drawn to the following precautions to be adopted:—

(1) With a view to protecting the hands, arms and, if necessary, the face, workmen are recommended to make use of various means and arrangements such as bretelles, likely to withstand the action of cement, glasses when engaged on ceiling work, etc. Contractors are recommended to place these protective appliances at the disposal of workmen.

\* Text E.B. VII., p. 380, No. 59.

(2) Workmen are specifically recommended to take all necessary steps, at the actual place of work, to maintain personal cleanliness, which is particularly necessary on account of the irritating action of cement; the necessary means for the maintenance of personal cleanliness shall be placed at their disposal by the contractors.

(3) Whenever a cement worker is affected by a spreading skin irritation, he is recommended to submit himself, as soon as possible, to medical examination.

Should the medical man recognise this to be a special case of cement disease, it will be wise not to employ the worker further on work which brings him into contact with the cement. It has been actually found that a worker who has suffered from this disease is generally liable to fresh attacks should he take up cement work again.

64. *Décret du 27 décembre 1911, modifiant le décret du 15 juillet 1893 sur les tolérances et exceptions prévues par la loi du 2 novembre 1892 sur le travail des femmes et des enfants.* (Bulletin de l'Office du Travail XIX., 70.)

**Decree of 27th December, 1911, modifying the Decree of 15th July, 1893, relating to the exemptions and exceptions contemplated by the Act of 2nd November, 1892, with respect to the work of women and children.**

1. §§1, 3, 4, and 6, paragraph 1, of the above Decree of 15th July, 1893, shall be replaced by the following regulations:

"1. In the trades enumerated below, women and girls of more than 18 years of age may be employed up to 10 o'clock in the evening at certain seasons of the year, and during a total period which shall not exceed 60 days per annum, but the time of actual work shall not, in any case, exceed 12 hours in every 24 hours:

Hats (trimming of) in full mourning, for women and children;

Clothes (making up) in full mourning, for women and children.

"3. The trades enumerated below shall be granted temporary exemption from the regulations relating to night-work, but the actual working hours of women, girls or children employed on night-work, shall not exceed 10 in every 24. :—

<i>Trades.</i>	<i>Total Time of the Exemptions. Days.</i>
Dairies .. .. .	60
Glues and gelatines .. .. .	60
Confectionery factories .. .. .	90
Preserved fruits and vegetables .. .. .	90
Preserved fish .. .. .	90
Pulling of sheep's wool .. .. .	60
Cheese factories .. .. .	60
Milk (trade establishments for the treatment of) .. .. .	60
Perfumes of flowers (extraction of) .. .. .	90
Pastry and biscuit factories utilising fresh butter .. .. .	30
Urgent repairs of ships and power machinery .. .. .	120
	(Children of the male sex about 16 years of age.)

" 4. In workshops where work is continued day and night, in which adult women and children of the male sex are employed at night, the permissible occupations for these two classes of workers are as follows :—

<i>Factories with Continuous Furnaces.</i>	<i>Workers.</i>	<i>Permissible Occupations.</i>
Beetroot distilleries .. ..	Children .. ..	Washing, weighing, sorting the beetroot, operating the syrup and water cocks, assisting on the diffusion batteries and distilling appliances.
Enamelled iron, wrought and cast (factories for articles of).	Children .. ..	Operation, from a distance, of the furnace doors.
Oils (works for the extraction of)	Children .. ..	Filling the sacks, shaking them after pressing, carrying the empty sacks and the screens.
Paper factories .. .. .	Children .. ..	Assisting the machine minders, cutting, sorting, arranging, rolling, and pressing the paper.
Sugar (factories and refineries of)	Children and women (in crude beetroot sugar factories only).	Washing, weighing, sorting the beetroot, operating the syrup and water cocks, supervising the filters, assisting on the diffusion batteries, sewing cloths, washing appliances and workshops, working the sugar into tablets.
Metal works .. .. .	Children .. ..	Assisting in the preparation of the casting beds, in the accessory work of refining, rolling, hammering, and drawing, in the preparation of the moulds for articles cast in the mould, in the arranging of the packets, sheets, tubes, and wires.
Glass works .. .. .	Children .. ..	Handing the tools, taking out the first glass, assisting in the blowing and moulding, carrying to the annealing furnaces, withdrawing the articles (all in accordance with the conditions provided in §7 of the Decree of 13th May, 1893); drawing and arranging the bottles.

" When women and children are employed all night, their work shall be interrupted by intervals for rest, which shall represent a total time of rest equal to at least two hours.

" The duration of actual work for women and children shall not, however, exceed 10 hours out of 24.

" 6. (1) The principals of trades authorised either to prolong work up to 10 o'clock at night, by virtue of §1, or temporarily exempted from the regulations relating to night-work, by virtue of §3, must notify the inspector or the woman inspector each time they are desirous of availing themselves of these exemptions."

2. §2 of the above Decree of 15th July, 1893, is repealed.

3. The regulations of the present Decree shall come into force on 1st January, 1912.

4. The Minister of Labour and Friendly Societies is entrusted with the carrying out of the present Decree, which shall be published in the " Journal officiel " of the French Republic and inserted in the " Bulletin des Lois."

65. *Loi du 6 janvier 1912, portant approbation de l'arrangement signé à Paris le 15 juin 1910, entre la France et l'Italie, concernant la protection des jeunes ouvriers français travaillant en Italie et des jeunes ouvriers italiens travaillant en France.* (Bulletin de l'Office du Travail XIX., 182.)

**Act of 6th January, 1912, approving the arrangement signed at Paris on 15th June, 1910, between France and Italy respecting the protection of young French workers employed in Italy and young Italian workers employed in France.**

SOLE SECTION.—The President of the French Republic is authorised to ratify and order the enforcement of the agreement concluded between France and Italy respecting the protection of young French workers employed in Italy and young Italian workers employed in France, signed at Paris on 15th June, 1910.\*

(A copy of this agreement is appended to the present Act.)

66. *Décret du 19 février 1912, portant promulgation de l'arrangement signé à Paris le 15 juin 1910, entre la France et l'Italie, pour la protection des jeunes ouvriers français travaillant en Italie et des jeunes ouvriers italiens travaillant en France.* (Bulletin de l'Office du Travail XIX., 295.)

**Decree of 19th February, 1910, to promulgate the arrangement signed at Paris on 15th June, 1910, between France and Italy for the protection of young French workers employed in Italy and young Italian workers employed in France.**

1. The Senate and the Chamber of Deputies, having ratified the agreement concluded between France and Italy on 15th June, 1910, at Paris, respecting the protection of young French workers employed in Italy and young Italian workers employed in France, and the ratifications of the said agreement having been exchanged at Paris on 10th February, 1912, the agreement, the text of which is appended, shall be carried out in its full and entire extent.

2. The President of the Ministerial Council and Minister for Foreign Affairs and the Minister of Labour shall each, in so far as he is concerned, be charged with the enforcement of this Decree.

67. *Articles 54 à 62 de la loi de finances du 27 février 1912 modifiant la loi du 5 avril 1910 sur les retraites ouvrières et paysannes.*

**§§54 to 62 of the Finance Act of 27th February, 1912, amending the Act of 5th April, 1910,† respecting pensions for workmen and peasants.**

\* Text E.B. V., p. 329.

† Text E.B. V., p. 361.

54. Paragraph 1 of §4 of the Act of 5th April, 1910, is amended as follows :

"The State life interest grant is fixed at 100 francs at the age of 60.

"It shall be increased by a bonus of one-tenth for every insured person of either sex having brought up three children at least to the age of 16 years."

Paragraph 3 of the same Section is amended as follows :—

"Should the number of years in which payment has been made be below 30 and above 15, the grant shall be calculated on the basis of the number of years of payment, such number being multiplied by 3.33 francs."

Paragraph 4 of the same Section is amended as follows :—

"The two years compulsory military service shall be taken into consideration in calculating the total amount of the life interest grant.

"In regard to women, the birth of each child, proved by a declaration made to the Registrar of Births, shall count for one year in the calculation of the total amount of life interest grant."

Paragraph 5 of the same Section is amended as follows :—

"In regard to insured persons of the transitory period who are at least 30 years of age at the time of the putting into force of the Act, the number of years' payments necessary to entitle to the grant contemplated in paragraph 1 shall equal the number of years which have elapsed since the coming into force of the Act, up to the 60th year, on condition that the said insured persons shall prove that on 3rd July, 1911, they had been included for three years at least in the classes enumerated in the first Section."

Paragraph 7 of the same Section is amended as follows :—

"The State life interest grant shall be paid, after it falls due, from sums included in the Budget of the Minister of Labour and Friendly Societies."

Paragraph 8 of the same Section is repealed.

55. Paragraph 1 of §5 of the Act of 5th April, 1910, is amended as follows :—

"The standard age for pensions is 60 years. Every insured person shall have the option of postponing assessment up to the age of 65 years."

§5 of the Act of 5th April, 1910, is completed by the following paragraph :—

"Whenever the insured person shall ask for the assessment of his pension after the age of 60 years, the State grant shall be paid at the end of each year and until the period of assessment of the pension, either to the interested party, at his own wish, or to one of the funds mentioned in §14 of the Act."

56. The two first paragraphs of §7 of the Act of 5th April, 1910, are amended as follows :—

"The benefits of the Act of 14th July, 1905, shall be extended to those persons contemplated in §1, who are from 65 to 69 years of age at the time of coming into force of the present Act, and who are recognised as admissible to the grants of the Relief Act, but the sums handed to them each year shall not exceed 100 francs."

"These payments shall be at the exclusive cost of the State."

57. The third paragraph of §9 of the Act of 5th April, 1910, is amended as follows :—

"The assessed pension shall be supplemented by the State under the conditions fixed by this Regulation, by means of special sums annually set apart for this purpose by the Financial Act, provided that the sum contributed

shall not exceed 100 francs per annum, and that the pension shall not exceed three times the sum assessed or 360 francs altogether, including the sum contributed."

58. Paragraph 9 of §14 of the Act of 5th April, 1910, is amended as follows :—

"All societies, in the first quarter of each year, shall deliver, free of charge, to insured persons, a pamphlet indicating the total amount of compulsory and voluntary payments which it has collected during the previous year, as also the total amount of the eventual pension due at 65 years of age, calculated to the 31st December of the previous year.

"The pamphlet shall indicate, moreover, the reducing factor which is used as a basis for calculating the amount of pension corresponding to the age of 60 years for those members who have not reached this age."

59. Paragraph 1 of §36 of the Act of 5th April, 1910, is amended as follows :—

"Farmers, *métayers* (farmers who pay rent in produce), cultivators, and mechanics and small proprietors, who generally work alone or with only one workman and with the members of their families, whether wage-earners or not, living with them, and who wish to secure a pension for themselves or to ensure one for these members of their family, shall be voluntarily admitted by payments into one of the funds contemplated in §14, and on the conditions enumerated in the following paragraphs, to be credited to a retiring pension, to date from the age of 60, with option to postpone the assessment of this until the age of 65 and to the benefit, should it so happen, of the provisions of §18."

Paragraphs 3 and 4 of §36 are amended as follows :—

"These payments shall benefit from the State funds, by a subsidy, under the alienated capital plan, in favour of the interested party. This subsidy shall equal half the payments made."

"The right and title to the subsidy shall lapse when the annuity, at 60 years of age, from the subsidies previously paid, shall have reached the figure of 100 francs, or when the beneficiary shall have ceased to be included in those classes mentioned in the present Section. The income arising from the subsidy contemplated in paragraph 3 above, and, should that be the case, from the bonus contemplated in paragraph 6 of the present Section, shall be increased by one-tenth in regard to an insured person of either sex, who has brought up at least three children to the age of 16 years, provided that this increase shall not exceed 10 francs."

Paragraph 6 of the same Section is amended as follows :—

"In regard to farmers not included in the eighth paragraph above, those cultivators, mechanics, and small proprietors who are over 35 years of age on 3rd July, 1911, who shall have commenced their payments from this time and who were included, during three previous years at least, in the classes of the interested parties mentioned above, there shall be added to the pension resulting from their nett payments and from the subsidy of half these payments, a bonus equal to the income which would have resulted from an annual payment of 12 francs from the age of 35 up to their actual age on 4th July, 1911, provided that this bonus shall not, in any case, apply to a period exceeding 25 years. The provisions of paragraph 4 of §5 shall apply to this bonus."

Paragraph 7 of the same Section is amended as follows :—

“ *Métayers*, over 35 years of age on 3rd July, 1911, and who, from this date, shall have paid annual sums equal to those contemplated in §2, shall receive a life interest grant, determined by §4 for compulsorily insured persons.”

Paragraph 11 of the same Section is amended as follows :—

“ The scope of §7 of the present Act shall extend to those persons contemplated in the second paragraph of the present Section. Moreover, in regard to those interested parties of the transitional period, who would find themselves at the age of 65 fulfilling the conditions necessary to benefit from the payments of the Relief Act, the State bonus shall amount to a figure equal to that of the payment granted to compulsorily insured persons of the same age, provided that the voluntary payments of the interested party shall have amounted to 18 francs for each complete year, dating from 3rd July, 1911.”

60. §37 of the Act of 5th April, 1910, is repealed and substituted by the following :—

“ Should an insured person have successively belonged, during a period of over 15 years, to the class contemplated under Part I. and to that under §36, without having also paid, during 30 years, those sums stipulated for insured persons in Part I., he shall be entitled, for each year in which he has paid, as a voluntarily-insured person, to a grant determined by paragraph 3 of §4. This payment shall be added to the income arising from the subsidies corresponding to those years of voluntary insurance, provided that the total amount shall not exceed the maximum stipulated in §4.

“ In the case of an insured person who has been admitted to the benefits of the transitional period, either in the voluntary insurance class or in the compulsory insurance class, should he have belonged successively to these two classes, he shall benefit exclusively from the advantage connected with that class to which he has belonged for the longer time. In the event of equal length of time, he shall be considered as having belonged only to the class of compulsory insurance.”

61. §38 of the Act of 5th April, 1910, respecting pensions for workmen and peasants, is amended as follows :—

“ Advances to be repaid may be made to the departmental or district funds, which take part in the carrying out of the present Act, with a view to covering their initial expenses, as also to those societies or unions of mutual aid societies, and to the pension funds of trade unions, under conditions which shall be fixed by a public administrative regulation. Repayment of these advances shall be made within a period of time, which may not exceed 15 years, by equal annual payments, calculated on the rates of the list of each society for the first year's working.

“ The decrees of authorisation contemplated in §§17 and 19 shall determine, for each society, the maximum of the said advances, which are repayable.”

62. The regulations of §§4, 5, 7, 9, 14, 36, 37, and 38 of the Act of 5th April, 1910, amended as above, shall come into force on 1st August, 1912. The benefits thereof shall extend, dating from the same time, to those pensions previously assessed.

Those insured persons contemplated in §4 (paragraph 5) and §36 (paragraphs 6, 7, and 8) who shall have had their names inscribed before 3rd July, 1912, shall be authorised to pay retrospectively the sums contemplated in the regulations, in order to benefit from the advantages of the transitional period.



68. *Circulaire du Ministre du Travail, du 1 mars 1912 relative à l'application de la loi de finances du 27 février 1912 (retraites ouvrières).* (Bulletin de l'Office du Travail XIX., 399.)

**Circular of the Minister of Labour, dated 1st March, 1912, respecting the application of the Finance Act of 27th February, 1912\* (Workmen's Pensions).**

69. *Circulaire du Ministre du Travail, du 5 mars 1912, relative à la revision annuelle des listes d'assurés (retraites ouvrières).* (Bulletin de l'Office du Travail XIX., 400.)

**Circular of the Minister of Labour, dated 5th March, 1912, respecting the annual revision of the lists of insured persons (workmen's pensions).**

70. *Circulaire du Ministre du Travail, du 9 mars 1912, relative aux indemnités aux caisses d'assurance pour la gestion des comptes de retraites (retraites ouvrières).* (Bulletin de l'Office du Travail XIX., 506.)

**Circular of the Minister of Labour, dated 9th March, 1912, respecting payments to the insurance funds for the financial management of the pension accounts (workmen's pensions).**

71. *Circulaire du Ministre du Travail, du 11 mars 1912, relative aux heures d'ouverture des bureaux des mairies (retraites ouvrières).* (Bulletin de l'Office du Travail, XIX., 616.)

**Circular of the Minister of Labour, dated 11th March, 1912, respecting the hours of opening of the town hall offices (workmen's pensions).**

72. *Circulaire du Ministre du Travail du 13 mars 1912, relative aux cartes échangées dans l'intervalle de deux payes (retraites ouvrières).* (Bulletin de l'Office du Travail XIX., 616.)

**Circular of the Minister of Labour, dated 13th March, 1912, respecting the cards exchanged in the interval between two payments (workmen's pensions).**

73. *Circulaire du Ministre du Travail, du 19 mars 1912, relative aux erreurs commises par les assurés dans l'emploi des timbres (retraites ouvrières).* (Bulletin de l'Office du Travail XIX., 618.)

**Circular of the Minister of Labour, dated 19th March, 1912, respecting mistakes made by insured persons in the use of stamps (workmen's pensions).**

74. *Circulaire du Ministre du Travail et de la prévoyance sociale du 26 mars 1912, concernant le recouvrement et l'imputation des condamnations pécuniaires prononcées par application de l'article 23 de la loi du 5 avril 1910 (retraites ouvrières).* (Bulletin de l'Office du Travail XIX., 741.)

**Circular of the Minister of Labour and Friendly Societies, dated 26th March, 1912, respecting the recovering and deduction of fines imposed in virtue of §28 of the Act of 5th April, 1910† (workmen's pensions).**

\* Text E.B. VII., p. 386, No. 67.

† Text E.B. V., p. 361.

75. *Circulaire du Ministre du Travail et de la prévoyance sociale, du 10 avril 1912 (application au personnel des compagnies de chemins de fer d'intérêt général secondaire, d'intérêt local et de tramways de la loi sur les retraites ouvrières).* (Bulletin de l'Office du Travail XIX., 743.)

**Circular of the Minister of Labour and Friendly Societies, dated 10th April, 1912 (application of the Act respecting workmen's pensions to the staffs of main, secondary and local railway lines and tramways).**

76. *Circulaire du Ministre du Travail et de la prévoyance sociale, du 17 avril 1912 concernant la transmission des cartes annuelles établies au profit d'assurés ayant fait choix de caisses patronales de retraites (retraites ouvrières).* (Bulletin de l'Office du Travail XIX., 844.)

**Circular of the Minister of Labour and Friendly Societies, dated 17th April, 1912, respecting the distributing of annual cards, drawn up for the benefit of insured persons who have selected masters' pension funds (workmen's pensions).**

77. *Circulaire du Ministre du Travail et de la prévoyance sociale, de 6 mai 1912 ; loi du 27 février 1912, article 62 ; admission au bénéfice de la période transitoire (retraites ouvrières).* (Bulletin de l'Office du Travail XIX., 844.)

**Circular of the Minister of Labour and Friendly Societies, dated 6th May, 1912 : Act of 27th February, 1912, §62 ; admission to the benefits of the transitional period (workmen's pensions).**

78. *Circulaire du Ministre du Travail et de la prévoyance sociale, du 23 mai 1912, concernant l'application de la loi du 5 avril 1910 aux pupilles de l'assistance publique (retraites ouvrières).* (Bulletin de l'Office du Travail XIX., 847.)

**Circular of the Minister of Labour and Friendly Societies, dated 23rd May, 1912, respecting the application of the Act of 5th April, 1910, to wards who are in the charge of the Relief Board.**

79. *Loi du 11 juillet 1912 modifiant le paragraphe 3 de l'art 62 de la loi du 27 février 1912, concernant les retraites ouvrières et paysannes, afin d'étendre au 1er janvier 1913 le délai de rétroactivité accordé aux assurés pour bénéficier des avantages de la période transitoire.* (Bulletin de l'Office du Travail XIX., 841.)

**Act dated 11th July, 1912, amending paragraph 3 of §62 of the Act of 27th February, 1912, respecting pensions for workmen and peasants, with a view to extending to 1st January, 1913, the retrospective time limit granted to insured persons, with a view to benefiting from the advantages of the transitional period.**

**SOLE SECTION.** §62, paragraph 3, of the Act of 27th February, 1912, is amended as follows :—

“ Those insured persons contemplated in §§4 (paragraph 5) and 36 (paragraphs 6, 7, and 8) who shall have had their names inscribed before 1st January, 1913, shall be authorised to pay retroactively the sums contemplated in the regulations, in order to benefit from the advantages of the transitional period.”

## IV. British Colonies

### AUSTRALIA.

#### VICTORIA.

1. An Act to increase for one year the total sum appropriated for Old-Age Pensions (No. 2162). (2nd March, 1909.)
2. An Act to provide for a half-holiday every Saturday in shops in the Metropolitan District (No. 2177). (2nd March, 1909.)

1. This Act may be called the Metropolitan Saturday Half-holiday Act, 1909, and shall be read and construed as one with the Factories and Shops Act, 1905\* (hereinafter called the principal Act), which Act and any Act amending the same and this Act may be cited together as the Factories and Shops Acts.

2. This Act shall come into force on the first day of May, 1909.

3. (1) Notwithstanding anything contained in the Factories and Shops Acts all shops (other than those of the classes or kinds mentioned or specified in the Fourth Schedule to the principal Act or the First Schedule to this Act) situated within the Metropolitan district shall in every week be closed from the hour of 1 o'clock in the afternoon on Saturday, and may be kept open till the hour of 10 o'clock in the evening on any Friday when such shop is to be closed at 1 o'clock in the afternoon on Saturday as provided in this Sub-section.

(2) If any shopkeeper carries on in any of such shops any business of the class usually carried on in shops not included in either of the said Schedules, then in every such case the provisions of Sub-section 1 of this Section shall apply to such shop unless the occupier of such shop has been granted a suspension under the provisions of §134 of the principal Act.

4. If, after the expiration of one year from the commencement of this Act, a majority consisting of at least 50 more than one-half the number of all the shopkeepers in the Metropolitan district (other than shopkeepers keeping shops of a class mentioned in the Fourth Schedule to the principal Act or in the First Schedule to this Act and other than hawkers and pedlars) sign petitions in the form set out in the Second Schedule to this Act or to the like effect addressed to the Governor in Council and forwarded to the Minister of Labour praying that Sub-section 1 of §3 of this Act shall cease to have any force or effect, the Governor in Council may, by order published in the "Government Gazette," suspend the operation of the said Sub-section for such a period as he may see fit being not less than six months nor more than two years.

5. (1) It shall be the duty of the municipal clerk of each municipal district in the Metropolitan district to which any petition relates, on such petition being referred to him, to certify how many of the persons signing such petition are shopkeepers keeping shops within such municipal district of the classes of shops required by §3 of this Act to close from the hour of 1 o'clock on Saturday afternoon, and also to state and certify the total number of shopkeepers keeping such classes of shops within such municipal district.

(2) For the purposes of such certificate the municipal clerk shall not count as shopkeepers to be affected—

\* Text E.B. II., p. 38

(a) any shopkeeper keeping a shop of the class named in the Fourth Schedule to the principal Act or the First Schedule to this Act, or any hawker or pedlar ; or

(b) any shopkeeper who has been granted a suspension under the provisions of §134 of the principal Act and who is, as a result, entitled to keep open on Saturday afternoon after 1 o'clock for the sale of part of his stock.

(3) The Minister, on the certificate supplied by the municipal clerks, shall decide whether the petition is signed by a majority as aforesaid of the shopkeepers to be affected, and the decision of the Minister shall be final and without appeal.

(4) A shopkeeper, firm, or company shall not be entitled to sign the petition more than once in any municipal district, even if he or it has more than one shop in such municipal district.

6. (1) The Governor in Council may make regulations to have effect in and throughout the whole of the Metropolitan district, requiring shops of any class or kind mentioned in the First Schedule of this Act to be closed in every week from the hour of 1 o'clock in the afternoon on Saturday, and permitting the keeping open of such shops on the preceding Friday until 10 o'clock in the evening.

(2) No such regulation shall be made unless a petition therefor signed and certified to in accordance with the provisions of Sub-sections 4, 6, and 7 of §25 of the Factories and Shops Act, 1905\* (No. 2) has been addressed to the Governor in Council and forwarded to the Minister.

## SCHEDULES.

### FIRST SCHEDULE.

Flower shops, bicycle shops, hairdressers, butchers, bakers.

### SECOND SCHEDULE.

[Form of Petition for Suspension of §3, sub-section 1.]

## 3. An Act to provide for the regulation of coal mines (No. 2240). (4th January, 1910.)

[EXTRACT.]

3. This Act shall come into operation on the first day of February, 1910.

### PART I.—MINES REGULATION.

#### (1) *Restriction on Employment.*

6. (1) Boys shall not be employed underground in any mine.

(2) Boys under the age of 14 years shall not be employed about any mine, and females shall not be employed in or about any mine.

(3) No boy shall be employed in caging or uncaging trucks or skips on cages.

(4) No boy shall be employed as a lander or bracman.

(5) No person shall be employed for more than 48 hours in any week as a lander or bracman nor more than eight hours inclusive of 30 minutes as crib time in any 24 hours except in cases of emergency.

\* Text E.B. II., p. 38.

(6) No person shall be deemed to be guilty of an offence against this Act for a contravention of Sub-section (4) of this Section or of so much of the next following Section as relates to the time for which persons shall not be employed below ground, if he proves that there were special circumstances to render such contravention necessary for the proper working of the mine, and that such contravention was not injurious to the workmen employed in the mine.

(7) If it appears that a boy was employed on the representation of his parent or guardian that he was of the age at which his employment would not be in contravention of this Act, and under the belief in good faith that he was of that age, the owner and manager of the mine shall be exempted from any penalty, and the parent or guardian (as the case may be) shall, for the misrepresentation, be deemed guilty of an offence against this Act.

7. (1) No person shall be employed below ground in any mine for more than eight consecutive hours, inclusive of 30 minutes as crib time at any time, or for more than 48 hours in any week, except in cases of emergency. An interval of at least eight hours shall elapse between the termination of one period of being below ground and the commencement of the next.

(2) A person shall be deemed and is hereby declared to be employed below ground and in the service of the owner of a mine within the meaning of this Act from the time that he commences to descend a mine until he returns to the surface.

(3) A person shall be entitled to be paid overtime when he is employed underground for more than eight hours in any period, and counting from the time he commences to descend the mine until he returns to the surface, such payment to be at the rate of time and a quarter for the first two hours, and time and a half for every hour thereafter.

(4) The prohibition contained in this Section shall not apply to the manager or under-manager of a mine or to any overman or deputy or shaft bottomer or to a chief engineer or fitter or electrician engaged in the mine.

8. (1) No person in charge of machinery on which steam, water, electricity, oil, gas, or air, or any two or more of them are used as a motive power in connection with any mine or for the treatment of the products of any mine shall be employed for more than eight consecutive hours, inclusive of 30 minutes as crib time, at any time, or for more than eight hours, inclusive of 30 minutes as crib time, in any 24 hours.

(2) Such period of eight hours shall be exclusive of any time occupied in raising steam or supplying air and in drawing fires and exhausting steam in connection with the machinery in the charge of such person and of any time in which such person is employed in case of breakage, emergency, or necessity.

9. Every person in charge as aforesaid who is guilty of negligence by which any property is destroyed or damaged shall be guilty of an offence against this Act.

10. The owner or manager of every mine shall keep in the office at the mine a register, and shall cause to be entered in that register, in such form as the regulations prescribe or sanction, the name, age, residence, and date of first employment of all boys employed above ground in connection with the mine; and shall on request produce the register to any inspector under this Act who shall note therein the result of his examination of such register and the date thereof.

II. (1) If any person contravenes or fails to comply with, or permits any person to contravene or fail to comply with, any provision of this Act with respect to the employment of boys, or to the register of boys, or the production of the register as aforesaid, he shall be guilty of an offence against this Act.

(2) In the event of any such contravention or non-compliance by any person whomsoever, the owner and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means by publishing and to the best of his power enforcing the provisions of this Act to prevent the contravention or non-compliance.

[ (2) *Wages and payments to persons employed in and about mines* (§§12-17).—(3) *Single shafts, tunnels, or outlets* (§§18-21).—(4) *Division of mine into parts* (§22).—(5) *Certificated managers and under-managers* (§§23, 24).—(6) *Board of examiners for mining managers* (§§25-33).—(7) *Board of examiners for engine-drivers in mines* (§§34-38).—(8) *Returns, plan notices, and abandonment of mines* (§§39-43).—(9) *Inspection and accidents* (§§44-49).—(10) *Coroners' inquests* (§50).—(11) *General rules* (§§51, 52).—(12) *Special rules* (§§53-61).—(13) *Miscellaneous* (§§62-72).—(14) *Miners' accidents relief* (§§73-99).]

## V. Russia

1. **Instructions respecting the modification of §65 of the Instructions to Factory Inspectors and of §44 of the Instructions to Mining Inspectors** (see *Sobranie uzakonenij*, §1787). (Dated 3rd—16th July, 1909.)

I.—§65 of the Instructions to Factory Inspectors (*Sobranie uzakonenij*, 1900, p. 434) shall be amended as follows :—

When any infringement arises either of the Act or of any by-law published with the same object in view, the enforcement of which being under the supervision of the factory inspectors, these inspectors shall draw up an official report, in pursuance of §56 of the Factory Act (1906 edition), or they shall certify as to the said infringement, in pursuance of §1143 of the Criminal Act.

Nevertheless, in such cases where the factory inspector, after investigating the causes of the said infringement, is satisfied that this infringement is the result of a misinterpretation of the Act, or that on account of certain special reasons it is found a difficult matter to conform to the Act, without drawing up an official report, the inspector shall give the necessary explanations, and these shall be duly registered in the Inspection Book referred to in §61 of the said Instructions, stating (should he think it necessary) a time limit within which the factory must be re-organised in accordance with the requirements of the Act or by-laws issued for this purpose.

II.—§44 of the Instructions to Mining Inspectors (*Sobranie uzakonenij*, 1901, p. 1437) shall be amended as follows :—

Where any infringements occur either of the Act itself or of any by-law published with the same object in view, and where the enforcement of these is under the supervision of the mine inspectors, those inspectors shall draw up an official report, in virtue of §94 of the Mining Act, or they shall certify as to the said infringement, in pursuance of §1143 of the Criminal Act.

Nevertheless, in such cases where the district inspector, after investigating the causes of the said infringements, is satisfied that this infringement is the result of a misinterpretation of the Act, or that, for some special reasons, it is found a difficult matter to conform to the Act, the district inspector, without drawing up an official report, shall give the necessary explanations, and these shall be duly registered in the Inspection Book referred to in §40 of the said Instructions, stating (should he think it necessary) a time limit within which the factory must be re-organised in accordance with the requirements of the Act or by-laws issued for this purpose.

The above regulation of the Chief Factory and Mining Council is approved by the Minister of Commerce and Industry on 3rd July, 1909.

**2. Instructions respecting the explanation of §§100 and 141 of the Industrial Act (Sobranie uzakonenij, §1738). (Dated 3rd—16th July, 1909.)**

I.—In pursuance of paragraph 1 of §125 of the appendix to §618 (1) of the Ministerial Act (edition 1906), the following explanation shall be added:—

According to the terms of §§100 and 141 of the Industrial Act, a shop attached to a factory shall be considered as a factory shop in such cases only where workmen may obtain the necessary goods from this shop under special conditions, in virtue of §100 mentioned above—that is to say, goods sold on account and when the factory is entitled to deduct from wages such sums as are due for goods supplied.

In order to deduct from the wages those payments due for goods supplied from those factory shops managed by co-operative societies, it shall only be necessary to obtain the consent of the management of the factory for this and a special permit from the factory inspectors shall not be necessary.

The deduction from the wages of payments due from the workmen to other factory shops, but not belonging to a co-operative society, shall only be permissible in virtue of §141 of the Industrial Act, with the sanction of the factory inspectors. Nevertheless, the only goods supplied to the workmen on credit in the factory shops—even of a co-operative society—on the understanding that payment for such goods may be deducted from the wages, without the special consent of the workmen, shall be entered on special tables and price lists approved of by the factory inspectors. With reference to goods not mentioned in these tables, and in the event of these goods having been sold on account to the workmen, payments due for such goods may only be deducted from wages by the mutual consent of both the management of the factory and of the workmen and in accordance with the regulations prescribed in Part II. of the resolution of the Chief Council dated 19th April, 1906 (Sobranie uzakonenij, §1478).

II.—The Circular Letter of the late Department of Trade and Commerce of 19th June, 1894 (No. 13271) shall be cancelled.

## VI. Spain

1. *Real decreto estableciendo un Servicio especial de Policia minera en los distritos de las provincias que se indican.* 16 de Diciembre 1910. (Boletin del Instituto de Reformas Sociales VII., 779.)

**Royal Decree establishing a special service of Mining Police in the districts of the provinces indicated. (16th December, 1910.)**

1. A special service of mining police shall be established in the districts of Almeria, Cordoba, Ciudad Real, Huelva, Jaen, Murcia, Oviedo Sevilla, Santander and Biscay, and there shall be provided for the same the staff which shall be determined for each of these districts by the said Ministry, and be appointed from amongst the engineers attached to the official service.

2. The engineers intended for this service shall devote themselves exclusively to the mining police and to the compilation of mining statistics ; they shall be under the direct orders of the head engineers of the province, who shall fix the number of ordinary visits which they are to make in each district, according to the duties and the time which each mining zone may require.

3. The engineers shall reside at the most important mining centres, as indicated by the Mining Board, and shall inspect the mines, workings and smelting works with all due attention, and as regards the manner of carrying on all the operations, especially with respect to the safety and health of the workers, they shall give special attention to those mines and works in which the greatest number of accidents may have occurred.

4. The duties proper of the engineers attached to the special police service shall be those which are found enumerated in §§4, 8, 9, 11 and 13 of the Regulations, and as regards §21, the engineer shall be required to visit the workings and carry out the rescue work, reporting by telegraph with all promptitude to the general management.

5. The special attention of the engineers during their visits of inspection shall be devoted to the supervision of the work of women and children in the mines and works, and they shall require exact compliance with §§26 and 27 of the police regulations in force, and of the other orders already issued or subsequently to be issued in relation to this matter.

6. As these Orders are supplementary to the police regulations, the engineers who may be appointed for this service shall be officers of the State in full active service on or about the mine workings, and it shall be the duty of these officials to see that the regulations in force of the 28th January, 1910,\* relating to the coming and going of the staff, ventilation, handling of explosives, the rules for the working of coal mines and mines worked in the open, of quarries, of the transport service, of works for the treatment of the ores, and their reduction, of electric and compressed air plants, engines, etc., etc., are strictly adhered to.

7. The engineers appointed for the special mining police service shall draw up a quarterly report, being a summary of all the operations carried out during the respective period, and a compendium of the remarks which may have been entered in the mine inspection book and in the register of the District Governor's office. The report shall contain the observations that have been made with regard to the works, specifying those which have been of an advisory and those which have been of a mandatory character, and state whether these have been carried out or whether a protest has been lodged against the same. The most careful attention shall be given to accidents which may have occurred, to their causes and to the precautions which may have been taken to avoid their repetition, as also to the sworn attestation which, in all cases, shall precede the drawing up of the report of accidents which may have taken place. This report shall be handed by them to the engineers-in-chief with all promptitude, and the latter, in their turn, shall transmit the same to the respective general inspector of the Mining Board, and they shall make at the same time, such remarks as they consider as coming within the scope of the services performed by the engineers of the mining police.

\* An extract of this Order will be published in a later number of the *Bulletin*.



8. In addition to the visits of inspection made in the mines by the engineers attached to the mining police, the engineers-in-chief shall, in those cases in which they consider it necessary, and particularly in the last quarter of the year, carry out visits of inspection in the mining centres, especially in serious cases of accidents in which they have to lend their personal assistance, and in order to obtain information necessary for the annual report and for the statistics which they are required to draw up in accordance with the provisions of §12 of the regulations.

9. The mine overseers, in districts in which they lend their services, shall be auxiliary to the police engineers, and as such shall assist the latter in their work whenever the engineers order them to do so.

10. The district engineers-in-chief shall place at the disposal of the Institute for Social Reform such particulars as may be required from them by the said centre in everything relating to the high mission entrusted to the said Institute.

11. The expenses and remunerations involved in the mining police service shall be the charge of the State, with the exception of those which §7 prescribes to be the charge of the persons carrying on the enterprise. The Mining Board shall distribute, as occasion may require, the sums available according to the necessities of each district.

The assignment for each province shall be made quarterly to the approved paymasters of the Governor's offices, and the engineers shall render their accounts during the first eight days of the following quarter. These accounts shall be drawn up in the form and manner that may have been customary in the mining police service, and shall be reported upon by the Mining Board.

12. The general inspectors, both in their ordinary and extraordinary visits to their respective districts, shall give special attention to the said police and statistical services, and shall take suitable measures for dealing with the same in the best possible manner, and report to the Mining Board their observations and the measures which they may adopt in their respective districts.

2. *Ley Prohibiendo el trabajo industrial nocturno de las mujeres en talleres y fábricas.* 11 de Julio de 1912. (Boletín del Instituto de Reformas Sociales IX., 1, 65.)

**Act prohibiting the industrial night-work of women in workshops and factories.**  
(Dated 11th July, 1912.)

1. The industrial night-work of women in workshops and factories is prohibited.

2. The night rest contemplated in the preceding Section shall have a minimum duration of 11 consecutive hours; within the said 11 hours there must always be included the period from 9 o'clock in the evening to 5 o'clock in the morning.

3. From this prohibition there shall be excepted:

(1) Cases of "force majeure," and

(2) Those agricultural and other industries in which materials are used for the work which are subject to deterioration, provided that there should be no other way of avoiding the loss of the said materials.

4. Infringements of this Act shall be punished by fines of from 20-250 pesetas which shall be exacted only from the employers, except in cases in which it is clearly proved that the latter are not responsible. The municipal authorities shall be entrusted with the imposition and the recovery of the fines referred to, whenever a decision to this effect has been taken by the local and provincial juntas. Repetitions of the offence within a period of one year shall be punished by fines of double the amount of those first imposed, and all fines shall be paid in legal paper currency (papel de pagos) valid for payments to the State.

5. The prohibition of the night-work of women decreed in the above stipulations shall come into force on the 14th January, 1914, with the exception of the textile industries which shall be subject to the rules established by the following paragraph.

In textile industries, the work of unmarried women and widows with children shall be prohibited, and the number of women employed in night-work shall be reduced at least by 6 per cent. per annum until 14th January, 1920, from which date onwards the night-work of women shall be absolutely prohibited.

6. The Minister of the Interior shall issue before the said date the Regulations required by this Act.

3. *Real decreto aprobando el adjunto Reglamento de Policia minera. 28 de Enero de 1910. (Gaceta de Madrid CCXLIX., 1,211.)*

**Royal Decree approving the annexed mining police regulations. (Dated 28th January, 1910.)**

[EXTRACT.]

PART I.—REGULATIONS COMMON TO ALL MINES.

*Chapter I.—Inspection and Supervision. (§§1-14.)*

4. The engineers appointed for the service of the mining districts shall inspect, at least once every year, the actual workings within the territory coming under their jurisdiction.

For this purpose the chief engineers of the district shall send to the General Board of Agriculture, Industry, and Commerce, within the first fortnight of August, a scheme in which they show the distribution of the expert staff for the carrying out of this task during the following year, with the detailed expenses which will have to be incurred, taking into account specially those workings where greater vigilance must be exercised by reason of special care being required or by reason of any accident having occurred in the same, all of which the engineer will duly place on record.

The General Board, taking into consideration the credit proposed by the Ministry of Public Works for the service in question, shall ratify or amend the schemes not later than the 1st February in each year and shall ratify, after consultation with the Mining Board (Consejo de Minería), any expenses incurred.

8. For each mine or group of mines, belonging to one owner, and forming a single concern, as far as the working is concerned, there shall be kept an inspection book, bound and paged by the said owner, and every sheet of which shall be legalised by the seal of the municipal government (Ayuntamiento).

On the first page there shall be written an attestation by the Mayor and Secretary of the Municipal Government, showing the number of sheets of which the book consists.

In the said book the engineers shall enter, in the form of minutes, the notices issued for the due fulfilment of these Regulations and all the steps which may be suggested by the inspection of the mine, care being taken that those which are of a compulsory nature are distinguished from those which are to be considered only as advisory, and transcribing them, in the same form, literally and fully, in the mine inspection book, paged and initialled by the Prefect (Jefa) on all the pages, which book shall be kept at the Prefecture (Jefaturas), and shall be kept separate for each province.

The engineers shall draw up the minutes of the visits of inspection exactly and clearly, and legalise such by their signature, and shall express definitely, in each of the same, whether the instructions given during the previous visit have been complied with, and shall enter in the same the information, given by the mine manager, relating to the organisation in the interior of the mine and on the surface, and having reference to the safety and preservation of the mine and to the health and good conditions of living of the staff.

9. Notices of a mandatory character entered on the inspection books shall be binding upon the owners of the mines, unless they state, within a period of 14 days from the date of the notice, their objection, with due reasons, to the Governor of the Province. The latter, after having heard the Chief Engineer of the District, shall decide on the objection within the following 14 days, and an appeal against this decision may be lodged, within a further period of 14 days from the date of the notification, with the Minister of Public Works, who shall definitely decide on the matter after hearing the opinion of the Mining Board.

In case of urgency, in the opinion of the engineer inspecting the mine, the instructions given by him must be immediately complied with, without prejudice to the objections which may be brought forward.

10. Whenever an engineer, on inspecting a mine, finds that the instructions of a mandatory character, given on the occasion of his previous visit, have not been complied with, without the owner, in consequence of a well-founded objection, having been expressly released, in writing, from the fulfilment of the same, he shall bring such fact, through the Prefecture, to the knowledge of the Governor of the Province, who shall order the immediate execution of the work, under the direction of the engineer whom the Prefect of the district may appoint, at the expense of the owner and without prejudice to the corresponding fine.

11. The mine-owners, lessees, managers, agents, and employees shall be bound to permit the entrance to and facilitate the inspection of the workings, to the engineers and the subordinate staff, who, in their official capacity, claim to carry out such in order to comply with these regulations, supplying, for this purpose, the necessary staff and means for inspecting the works and, in particular, for penetrating to the places which may require special vigilance.

They shall submit to the engineers the plans of the mine, of the workings as well as of the surface work, the books showing the progress of the said workings, and the registers in which are entered the names, ages, and occupations of the workers; they shall arrange that the inspecting staff is accompanied by the managers or foremen, in order that the latter may give full information as to what it may be considered necessary to ascertain, concerning the safety and health of the miners.

12. On the basis of the information furnished by the engineers and subordinate staff, and of their own observations, the chief engineers of the district shall draw up every year a memorandum in which shall be proposed the means for improving the service of supervision and inspection.

During the first fortnight of March in every year, this memorandum shall be sent to the Chief Inspector of the district, who, within the months following, shall report everything necessary to the Mining Board, and the latter, in view of all that has been stated, shall propose to the higher authority whatever it may think advisable.

13. If, on inspecting a mining undertaking, the engineer should find that there is any cause of immediate danger, he shall adopt immediately, on his own responsibility, such measures as he may think necessary, and if he should meet with any resistance, difficulty, or want of sufficient means on the part of the owner or manager of the mine, the said engineer shall request, in writing, the assistance of the local authorities or of the civil governor of the province, while reporting immediately to the Prefecture.

If the owner or manager of the mine should not be agreed with what has been ordered, he may appeal, complying with the formalities referred to in §9 of these Regulations, but he shall not impede the progress of the work which the said engineer may order to be done in such extraordinary circumstances.

*Chapter II.—Preventive Measures for Avoiding Earth Falls, Inundations, Fire, and Explosions. (§§15-19.)*

*Chapter III.—Measures to be Taken in the Event of Disasters Occurring in the Mines. (§§20-25.)*

20. [Notices to the Chief Engineer.]

21. Whenever any of the facts, mentioned in the preceding Sections, shall come to the official or extra-official notice of the Prefect of the district, the latter or the engineer whom he may delegate shall proceed immediately to the place of the accident and shall investigate its causes and make his report, which shall be sent through the Prefecture to the respective judge of first instance, in the event of any personal injuries having been sustained.

He may, in the same way as in the case of imminent danger, request the municipal authority to supply utensils, tools, horses, and men, and may demand directly from the neighbouring mines, should there be any such, all kinds of assistance as regards staff and material, as well as the services of experts in this particular branch, which might be found at any neighbouring place, giving, at the same time, such orders as may be necessary for the saving of the workers and the preservation of the internal workings and the surface property.

The salvage work or the carrying out of the work necessary for providing against new dangers shall be arranged for by the management of the mine, with the approval and intervention of the engineer of the district.

Should disagreements arise, the opinion of the latter shall prevail.

In those works which, in the opinion of the said engineer, admit of delay, the said disagreement shall be decided upon by the Prefect of the district, if it should not be the latter who carries out the said service, and, in both cases, the decision of the Prefect may be appealed against before the Minister of Public Works.

The time limit for carrying out any of the said measures shall not exceed eight days.

22. [Assistance in case of accident.]

23. [Mines doctor to be within 10 Km.]

*Chapter IV.—Rules of Conduct for the Staff, Special Regulations. (§§26–30.)*

26. At every mine in which work is carried on, a register shall be kept in the proper form, signed by the manager, in which shall be entered all those persons, whatever may be their age and sex, who are dependent, either directly or indirectly, on the mine.

In the said register there shall be stated the full name of every person, his age, state, nationality, residence, kind of employment, and date of entering and leaving the service of the mine.

The manager or the person in charge of the mine shall be bound to produce the said register to the authorities and the engineers of the district, whenever requested to do so. Failure to do so shall be punished by a fine of 250 pesetas for the first time and of 500 pesetas for each repetition of the offence.

At each mine there shall be kept, moreover, a daily list of the workers actually in work, not only in the interior but also on the surface.

27. In all the workings of the mines the provisions of the Act relating to the work of women and minors, of the 13th March, 1900, and of the Regulations of 13th November of the said year, for applying the said Act and of the subsequent Regulations which may be issued on the matter, shall be observed.

28. No person in a state of drunkenness shall enter or be admitted to the workings of the mines.

Neither shall any other person, not occupied in the said workings, be allowed to enter, without the permission of the manager and without being accompanied by an expert miner.

29. The order of the work in each mine and the duties of the staff shall be fixed by the management of the mine by special regulations; in order that these regulations may have full legal effect before the Tribunals and Administration, they shall be submitted to the civil Governor of the province for approval, after the same has consulted the Chief Engineer of the district.

An appeal against the decision of the Governor may be brought before the Minister of Public Works.

30. The special regulations for each mine or group of mines, after the same have been approved in the manner indicated in the preceding Section, shall be binding upon the staff and shall be made known to all the workers and employees, by means of notices posted up at the most frequented and suitable points on the surface.

*Chapter V.—Plans of the Mines (§§31–35).*

*Chapter VI.—Shafts (§§36–38).*

*Chapter VII.—Passing in and out of the Staff through the Shafts (§§39–44).*

*Chapter VIII.—Ventilation and Drainage of the Mines generally (§§45–49).*

*Chapter IX.—Explosives (§§50–55).*

*Chapter X.—On the Abandonment of Mines (§§56–58).*

**PART II.—RULES FOR THE WORKING OF COAL MINES.**

*Chapter XI.—General Regulations (§§59–65).*

*Chapter XII.—Working (§§66–68).*

66. [Regulations respecting safety, the efficiency of the ventilation, health: thermometers in work-places where the temperature exceeds 30°C.]

In the underground workings, no worker shall be allowed to work more than six hours per day at a temperature of 33°C. or more.

Nor shall workmen be permitted to work overtime over and above the said six hours, even at a cooler place.

Within the period of the day's work there shall be included the necessary interruptions for enabling the workers to cool themselves, but not the regular hours of rest or the time required for going to and returning from the workings.

In places where the temperature exceeds 42° C., work shall only be allowed in case of necessity or imminent danger.

*Chapter XIII.—Ventilation (§§69-90).*

*Chapter XIV.—Lighting (§§91-102).*

*Chapter XV.—Gasometry (§§103-107).*

*Chapter XVI.—Services by Electrical Power (§§108-121).*

*Chapter XVII.—Explosives (§§122-149).*

*Chapter XVIII.—Mines with Coal Dust (§§150-153).*

*Chapter XIX.—Salvage in Mines (§§154-165).*

*Chapter XX.—Duties of the Staff (§§166-171).*

169. All workings in which work is carried on must be inspected daily by a watchman, at least weekly by an overseer, and at least monthly by an engineer.

### PART III.—SPECIAL REGULATIONS FOR CERTAIN MINING UNDERTAKINGS.

*Chapter XXI.—Surface Workings (§§172-176).*

*Chapter XXII.—Quarries (§§177-179).*

*Chapter XXIII.—Peat Bogs (§§180-184).*

*Chapter XXIV.—Salt Works (§§185-187).*

### PART IV.—UNDERGROUND MINERAL AND MINERAL-MEDICINAL WATERS.

*Chapter XXV.— (§§188-194).*

### PART V.—INSPECTION AND SUPERVISION OF EXTERNAL ROADS, WORKSHOPS, FACTORIES, AND ENGINES IN CONNECTION WITH THE MINING AND METALLURGICAL INDUSTRY.

*Chapter XXVI.—External Roads for Transport and Service (§195).*

*Chapter XXVII.—Mechanical Dressing and Smelting Works (§§196-204).*

201. The owner, manager, or person in charge of a mechanical dressing works or of a metallurgical or mineralogical factory shall be bound to allow the mining engineer of the district and his subordinate staff accompanying him, to enter the establishment and facilitate the inspection of the same, so far as regards the sanitary condition and safety of the work, of the workers, and the supervision over the engines.

*Chapter XXVIII.—Engines used in the Mining and Metallurgical Industry (§§205-215).*

### PART VI.—RESPONSIBILITIES AND PENALTIES.

*Chapter XXIX.—Mine Managers (§§216-224).*

*Chapter XXX.—Managers of Factories and Works (§§225-228).*

*Chapter XXXI.—Penal Law (§§229-233).*

PART VII.—AUTHORITY AND JURISDICTION IN CONNECTION WITH THE  
REGULATION OF MINES.

Chapter XXXII.—(§§234-245).

4. *Real orden disponiendo que por los Inspectores de Sanidad del campo se practique en el plazo mas breve posible una minuciosa inspección de todas aquellas zonas mineras que se consideren sospechosas de infección por anquilostomiasis. 3 de Enero de 1912. (Boletin del Instituto de Reformas Sociales VIII., 2, 1912)*

**Royal Order ordering that a minute examination of all those mining districts which are suspected of being infected with ankylostomiasis, should be carried out by the sanitary inspectors of this branch, in the shortest possible time. (Dated 3rd January, 1912.)**

1. Inquiry forms shall be sent to the Prefectures of the mining districts who shall forward the same to the district sanitary inspector of the respective branch, duly filled in and replied to in detail by the physicians, engineers, and employees of all the mining undertakings and societies.

2. A minute inspection of all those mining districts which are suspected of being infected with ankylostomiasis, shall be carried out, within the shortest possible time, by the competent sanitary inspectors, who shall propose the necessary reforms in every case.

3. The undertakings shall not admit any new worker without making a previous examination of his excrements, in order to make sure that he does not harbour germs of the disease.

4. The companies working the mines shall prohibit all those miners infected by ankylostomiasis from going down into the workings, for which purpose the workers must not be admitted to the workings without a previous expert examination, carried out by the physician, who must be kept at the mines, in conformity with §23\* of the Regulations of the Mining Police.

5. The companies working the mines shall improve and disinfect the infected shafts and galleries, in accordance with scientific rules and prescriptions, and establish suitable ventilation.

6. The companies shall prohibit certain evacuations conveying germs in the internal works and forbid the miners to enter the workings barefooted.

7. The companies shall establish the necessary sanitary conveniences, washing and cloak rooms in the neighbourhood of the mouth of the shafts and galleries, and insist on the greatest cleanliness and hygienic education of the miners. In mines where such may be necessary, it shall be made compulsory to supply portable conveniences and closets, within the internal workings.

## VII. Switzerland

### CANTON OF TICINO.

*Legge sugli apprendisti. 15 gennaio 1912.*

**Act respecting apprentices. (Dated 15th January, 1912.)**

[EXTRACT.]

5. Every apprentice, in order to be recognised as such, must have attended all the classes in the elementary schools, and have completed his 14th year.

\* Act of 28th January, 1910. (Extract E.B. VII., p. 399, No. 3.)

The Council of State may prescribe by way of regulations a medical certificate of health, as to the fit physical constitution for the exercise of certain industries or trades.

19. The maximum working day of an apprentice, including the time occupied in attending the aforesaid schools, shall be 10 hours. In addition, the provisions of the Federal Law respecting work in factories shall apply.

20. Work during Sundays and holidays, and night-work, is absolutely prohibited for apprentices. Night-work is understood to include the hours from 9 p.m. to 6 a.m.

In the establishments in which work on Sundays and holidays or night-work is absolutely necessary, the Council of State may, after having heard the opinion of the supervising committee, make an exception and allow the employment of apprentices, but only of the male sex, provided a rest during the day is assured to them, and, further, an interval of rest of at least 10 hours consecutively, and special remuneration for the work on Sundays and holidays.

Special legal stipulations concerning the rest on Sundays and holidays in commercial and industrial establishments of a private character, are reserved.

21. After termination of the period of apprenticeship in conformity with the contract, the master shall be bound to hand to the apprentice a certificate stating the name and trade and the duration and nature of the apprenticeship.

Should the apprenticeship have ceased before the period provided for, by reason of cessation of the concern, or for grave reasons (§§352 C. O.), the master shall be equally bound to give a certificate which must contain the reasons for the cessation of the apprenticeship.

Any possible differences concerning the certificate and the interpretation of the contract shall be settled by the supervising committee. The right of appeal to the Department of Hygiene is reserved.

In cases of unjustifiable refusal on the part of the master, the certificate may also be given by the supervising committee.

## VIII. United States of America

**An Act limiting the hours of daily service of labourers and mechanics employed upon work done for the United States, or for any territory, or for the District of Columbia, and for other purposes (No. 199 H.R., 9061). (Dated 19th June, 1912.)**

1. Every contract hereafter made to which the United States, any territory, or the District of Columbia, is a party, and every such contract made for or on behalf of the United States, or any territory, or said district, which may require or involve the employment of labourers or mechanics shall contain a provision that no labourer or mechanic doing any part of the work contemplated by the contract, in the employ of the contractor or any sub-contractor contracting for any part of said work contemplated, shall be required or permitted to work more than eight hours in any one calendar day upon such work; and every such contract shall stipulate a penalty for each violation of such provision in such contract of five dollars for each labourer or mechanic for every calendar day in which



he shall be required or permitted to labour more than eight hours upon said work ; and any officer or person designated as inspector of the work to be performed under such contract, or to aid in enforcing the person designated as inspector of the work to be performed under any such contract, or to aid in enforcing the fulfilment thereof, shall, upon observation or investigation, forthwith report to the proper officer of the United States, or of any territory, or of the District of Columbia, all violations of the provisions of this Act directed to be made in every such contract, together with the name of each labourer or mechanic who has been required or permitted to labour in violation of such stipulation and the day of such violation, and the amount of the penalties imposed according to the stipulation in any such contract shall be directed to be withheld for the use and benefit of the United States, the District of Columbia, or the territory contracting by the officer or person whose duty it shall be to approve the payment of the moneys due under such contract. whether the violation of the provisions of such contract is by the contractor or any sub-contractor. Any contractor or sub-contractor aggrieved by the withholding of any penalty as hereinbefore provided shall have the right within six months thereafter to appeal to the head of the department making the contract on behalf of the United States or the territory, and in the case of a contract made by the District of Columbia to the Commissioners thereof, who shall have power to review the action imposing the penalty, and in all such appeals from such final order whereby a contractor or sub-contractor may be aggrieved by the imposition of the penalty hereinbefore provided, such contractor or sub-contractor may, within six months after decision by such head of a department or the Commissioners of the District of Columbia, file a claim in the Court of Claims, which shall have jurisdiction to hear and decide the matter in like manner as in other cases before said court.

2. Nothing in this Act shall apply to contracts for transportation by land or water, or for the transmission of intelligence, or for the purchase of supplies by the Government, whether manufactured to conform to particular specifications or not, or for such materials or articles as may usually be bought in open market, except armour and armour plate, whether made to conform to particular specifications or not, or to the construction or repair of levees or revetments necessary for protection against floods or overflows on the navigable waters of the United States : Provided that all classes of work which have been, are now, or may hereafter be performed by the Government shall, when done by contract, by individuals, firms, or corporations for or on behalf of the United States or any of the territories or the District of Columbia, be performed in accordance with the terms and provisions of §1 of this Act. The President, by executive order, may waive the provisions and stipulations in this Act as to any specific contract or contracts during time of war or a time when war is imminent, and until 1st January, 1915, as to any contract or contracts entered into in connection with the construction of the Isthmian Canal. No penalties shall be imposed for any violation of such provision in such contract due to any extraordinary events or conditions of manufacture, or to any emergency caused by fire, famine, or flood, by danger to life or to property, or by other extraordinary event or condition on account of which the President shall subsequently declare the violation to have been excusable. Nothing in this Act shall be construed to repeal or modify the Act entitled " An Act relating to the limitation of the hours of daily service of labourers and mechanics employed upon the public works of the United States and

of the District of Columbia," being Chapter 352 of the laws of the 52nd Congress, approved 1st August, 1892, as modified by the Acts of Congress approved 27th February, 1906, and 30th June, 1906, or apply to contracts which have been or may be entered into under the provisions of appropriation Acts approved prior to the passage of this Act.

3. This Act shall become effective and be in force on and after 1st January, 1913.



## II. PARLIAMENTARY NOTES

### I. Belgium\*

(January-May, 1912.)

#### 1.—*Old Age Pensions.*

Ch. d. R. : 15th February. Report of the Commission on the draft Bills respecting (a) the amendment of §9 of the Old Age Pensions Act (E.B. VII., p. 228, No. 1); (b) the amendment of the Acts of 10th May, 1900, and 20th August, 1903; presented by M. Versteylen.—16th and 17th April. Debate.—18th April. Debate and adoption (*cf. Revue du Travail* XVII., 250).

#### 2.—*Old Age Pensions for Miners.*

(a) Ch. d. R. : 13th February. Bill presented by the Minister of Industry and Labour to supplement the Act of 5th June, 1911, respecting old age pensions for miners. Report of the special Commission presented by M. Verhaegen. Debate and adoption.—Sen. 27th February. Debate and vote (E.B. VII., p. 360, No. 17).

(b) Ch. d. R. : 24th April. Draft Bill to supplement the Act of 5th June, 1911, presented by MM. Petit and Pirméz.

#### 3.—*Hours of Work.* (See E.B. VII., p. 228, No. 2.)

Ch. d. R. : 16th February. Report of the Commission on the draft Bill to limit the hours of work of engineers in charge of the winding apparatus in coal mines; presented by M. Mansart.

#### 4.—*Industrial Courts.*

(a) Ch. d. R. : 17th January. Government Bill presented to establish Industrial Courts of Appeal in Brussels, Courtrai, Ghent, Liège, and Mons. Referred to a special Commission.—1st February. Report of the Commission presented by M. Wauwermans (Text and Preamble, *Revue du Travail* XVII., 106).

(b) Ch. d. R. : 27th March. Report on the draft Bill to establish an Industrial Court in Fontaine-l'Éveque; presented by M. Mabilie.

#### 5.—*Councils of Industry and Labour.* (E.B. VI., p. 326, No. 8; VII., p. 228, No. 5.)

Ch. d. R. : 1st February. Report of the Commission on the Bill to extend to April, 1913, the mandate of members whose term of office expires in 1912; presented by M. Verhaegen.—21st February. Debate and adoption.

Sen. : 27th February. Debate and Adoption (E.B. VII., p. 361, No. 18).

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\* Ch. d. R. = Chambre des Représentants.

Sen. = Sénat.

6.—*Old Age Pensions in Industry and Agriculture.*

Ch. d. R. : 13th February. Draft Bill to grant old age pensions in industry and agriculture ; presented by M. Lalieux. (*Revue du Travail* XVII.. 381.)

7.—*Payment of Wages.*

Ch. d. R. : 13th February. Draft Bill to supplement §5 of the Act of 16th August, 1887, respecting the payment of wages to workers ; presented by M. Huysmans.

8.—*Premiums to Reinsurance Funds.*

Ch. d. R. : 7th February. Report of the Central Section on the inquiry into the draft Bill respecting the granting of premiums to mutual reinsurance funds against sickness and premature invalidity ; presented by M. Gendebien. —15th, 20th–22nd, 27th March. Debate.—29th March. Debate and Vote.

Sen. : 23rd April. Debate.—24th April. Vote and adoption.

9.—*Social Insurance.*

Ch. d. R. : 24th April. Draft Bill respecting general social insurance against sickness, invalidity, and old age ; presented by M. Ghellinck d'Elseghem and others. (Text, *Revue du Travail* XVII., 620.)

10.—*Insurance of Sea Fishermen.*

Ch. d. R. : 17th January. Draft Bill respecting the establishment of an insurance fund for sea fishermen ; presented by the Government. Referred to a special Commission. (Text and Preamble, *Revue du Travail* XVII.. 98.)

## II. Denmark

(64th Ordinary Session of the Rigsdag, 2nd October, 1911, to 8th June, 1912.)\*

1.—*Old Age and Invalidity Insurance.*

Bill respecting national insurance against old age and invalidity, and to amend the Tariff Act and the Old Age Act ; presented by Bjerre (A. 4793).

Folketing : 27th April. Bill introduced (F. 7965).

2.—*Employment Bureaux.*

Bill respecting employment bureaux ; introduced by the Minister of the Interior (A. 4399).

Folketing : 20th February. Bill introduced (F. 4990).—23rd March. 1R (F. 6644). Referred to a Committee.—4th June. Report of the Committee (B. 3667).

3.—*Foreign Workers.*

Bill respecting the employment of foreign workers ; presented by the Minister of the Interior (A. 3041–C. 151, 1311).

\* See Fr. Kretz : Aarboeg for Rigsdagssamlingen 1911–12, Copenhagen, 1912, 3 Kr.

A = Appendix A ; B = Appendix B ; C = Appendix C ; F = Debates of the Folketing ; L = Debates of the Langsting. The figures following these letters refer to the numbered columns of these publications.

Landsting: 17th November. Bill introduced (L. 212).—24th November. 1R. (L. 253). Referred to a Committee.—19th December. Report of the Committee.—10th January, 2R. (L. 446).—24th January. 3R. (L. 582).

Folketing: 30th January. 1R. (F. 4648). Referred to a Committee.—19th March. Report of the Committee. (B. 1797).—27th March. 2R. (F. 6759).—30th March. 3R. (F. 6953).

Assented to 1st April, 1912 (Lov. Tid. No. 67).

4.—*Bakehouses.* (E.B. VI., p. 327, No. 3.)

Bill respecting work in bakery and confectionery establishments; presented by the Minister of the Interior (A. 2383—C. 1917, 2179).

Landsting: 3rd October. Bill introduced (L. 28).—11th October. 1R. (L. 59). Referred to the Committee on the Bill respecting work in factories, etc.—23rd May. Report of the Committee (B. 3331).—30th May. 2R. (L. 2111).—31st May. 3R. (L. 2129).

Folketing: 3rd June. 1R. (F. 9204).—4th June. 2R. (F. 9244).—7th June. 3R. (F. 9388).

Assent: 8th June (Lov. Tid. No. 155).

5.—*Factory Act* (E.B. VI., p. 327, No. 5.)

Bill respecting work in factories, etc., and their inspection by the State; presented by the Minister of the Interior (A. 2339—C. 2127).

Langsting: 3rd October. Bill introduced (L. 28).—11th October. 1R. (L. 57). Referred to a Committee.—25th May. Report of the Committee (B. 3339).—30th May. 2R. (L. 2066).—4th June. 3R. (L. 2229).

6.—*Franco-Danish Arbitration Treaty.*

Resolution of the Rigsdag respecting the treaty of compulsory arbitration concluded between Denmark and France, on 9th August, 1911 (E.B. VI., p. 229); presented by the Minister of the Interior (A. 3242—C. 65-77).

Folketing: 23rd November. 1st Reading (F. 2260).—24th November. 2(last)R (F. 2301).

Landsting: 1st December. 1R. (L. 302). 1st December. 2 (last) R. (L. 335).

7.—*Consumers' Leagues* (E.B. VI., p. 327, No. 6).

Bill respecting Consumers' Leagues; presented by the Minister of the Interior.

Landsting: 3rd October. Bill introduced (L. 29).—13th October. 1R. (L. 66). Referred to a Committee.—7th June. Report of the Committee (B. 3843).

8.—*Hotels & Restaurants* (E.B. VI., p. 327, No. 7).

Bill respecting hotels and restaurants and the trade in alcoholic drinks; presented by the Minister of the Interior (A. 2735—C. 113, 213, 345, 355, 1351).

Folketing: 4th October. Bill introduced (F. 90).—19th October. 1R. (F. 616). Referred to a Committee.—15th December. Report of the Committee (B. 47).—18th December. 2R (F. 3215).—10th January. 3R. (F. 3374).

Landsting: 17th January. 1R. (L. 544). Referred to a Committee.—15th February. Report of the Committee (B. 785).—23rd February. 2R. (L. 685).—1st March. 3R. (L. 754).

Folketing: 2nd March. Declaration of the Committee (B. 1075).—5th March. Debate (F. 5748).

Landsting: 6th March. Declaration of the Committee (B. 1675). Debate (L. 771).

Referred to a joint Committee, 19th April. Report of the Committee (B. 2225).—23rd and 24th April. Debate (F. 7729, L. 1374).

Assent: 10th May (Lov. Tid No. 104).

### III. France\*

(January—June, 1912.)

#### 1.—*Old Age Pensions for Miners.*

Ch. d. D.: 16th January. Draft Bill to amend the Act of 29th June 1894, and to create a national insurance fund for workers in mines, pits, and slate quarries; presented by M. Albert Thomas (No. 1582). Referred to the Mines Commission.

#### 2.—*Old Age Pensions for Railway Employees* (E.B. VI., p. 335, No. 35).

Ch. d. D.: 16th February. Report presented by M. Monestier on the draft Bill of M. Raoul Briquet and others respecting the right of railway servants dismissed on account of the strike in October, 1910, to their old age pensions.

#### 3.—*National Old Age Pensions Fund* (E.B. VI., p. 331, No. 11.)

Ch. d. D.: 23rd January. Report presented by M. Lairolle on the Bill to amend §20, par. 2. of the Act of 20th July, 1886, respecting the national Old Age Pensions Fund (No. 1599).—26th January. Declaration of urgency. Adopted.

Sen.: 1st February. Bill as adopted by the Chamber of Deputies. presented by the Ministers of Labour and of Finance (No. 45).—22nd February. Report presented by M. Th. Girard (No. 69).—7th March. 1st debate. Declaration of urgency. Adopted.

#### 4.—*Old Age Pensions for Workmen and Peasants.*

(a) (E.B. VI., p. 336 No. 36). Sen.: 16th January. Introduction by M. Th. Girard and Reading of a resolution of the Finance Commission to refer §§72–81 of the Finance Bill for 1912, respecting old age pensions for workers and peasants, as adopted by the Chamber of Deputies (No. 5). Declaration of urgency. Adopted.—15th February. Report presented by M. Cuvinot (No. 62).—21st February. 2nd Sitting. Report presented in the name of the Finance Commission by M. Gervais (No. 68).—22nd February–23rd February. 1st Sitting. Debate on the Clauses.—24th February. Adopted with modifications.

Ch. d. D.: 26th February. Adoption of the Clauses adopted by the Senate with the amendment of §66 (formerly §77).

Sen.: 27th February. 1st Sitting. Adoption of §66 (text of the Chamber of Deputies).

(b) Sen.: 1st February. Draft Bill to amend §36 of the Act of 5th April, 1910, respecting old age pensions for workmen and peasants; presented by MM. Chastenet and Courrégelongue (No. 46). Referred to the Commission appointed to examine §§72–81 of the Finance Act of 1912.

Ch.d.D. = Chambre des Députés.

Sen. = Sénat.

(c) Sen. : 8th February. Draft Bill to amend the application of §4 par. 5, and §36, pars. 6, 7, and 8 of the Act of 5th April, 1910, respecting old age pensions for workmen and peasants ; presented by M. Brager de la Ville-Moyson and others (No. 53). Referred to the above-named Commission.

(d) Sen. : 10th February. Draft Bill to amend §36, par. 6, of the Act of 5th April, 1910, respecting old age pensions for workmen and peasants ; presented by M. Brager de la Ville-Moyson (No. 56). Referred to the above-named Commission.

(e) Ch. d. D. : 29th March. 2nd Sitting. Draft Bill to amend §36 of the Act of 5th April, 1910, and 27th February, 1912, respecting old age pensions for workmen and peasants ; presented by M. Pierre Goujon and others. Referred to the Social Insurance Commission.

(f) Ch. d. D. : 23rd May. Draft Bill to amend the Act of 5th April, 1910, respecting old age pensions for workmen and peasants ; presented by M. Patureau-Mirand (No. 1916). Referred to the Social Insurance Commission.

(g) Ch. d. D. : 28th May. Draft Bill to extend the benefits of the Act respecting old age pensions for workmen and peasants to new classes of injured persons ; presented by M. Messimy (No. 1938). Referred to the Social Insurance Commission.

(h) Sen. : 31st May. Draft Bill to amend the Act respecting old age pensions for workmen and peasants ; presented by M. Rey (No. 180). Referred to the Commission on Workmen's Pensions.

(i) Ch. d. D. : 13th June. 2nd Sitting. Draft Bill to amend and supplement the Act of 5th April, 1910, respecting old age pensions for workmen and peasants ; presented by M. Honnorat (No. 1991). Referred to the Insurance Commission.

(k) Ch. d. D. : 24th June. Bill to amend the Act of 5th April, 1910, and 27th February, 1912, respecting old age pensions for workmen and peasants ; presented by the Minister of Labour. Referred to the Social Insurance Commission.

(l) Ch. d. D. : 28th June. 2nd Sitting. Draft Bill to amend §62, par. 3, of the Act of 27th February, 1912, respecting old age pensions for workmen and peasants by extending to 1st October, 1912, the term of retrospective effect granted to insured persons benefiting from the transitory periods ; presented by M. Henry Chéron and others (No. 2078). Referred to the Budget Commission.

##### 5.—*Hours of Work* (E.B. VI., p. 334. Nos. 29 and 31).

Ch. d. D. : 25th January. Adjournment until 8th February of the debate on the Bill to reduce the normal hours of work of adult workmen in industrial establishments to 10 hours.—1st February. Supplementary Report presented by M. Justin Godart (No. 1619).—8th, 15th, and 22nd February. Declaration of urgency. General Debate.—29th February. Conclusion of the general debate.—5th and 7th March. 1st Debate.—11th, 14th and 21st March. Debate on §1.—28th March. 2nd Sitting. Adoption of §1 with a provision supplementing the Commission's text.—30th May. 1st Sitting. A second supplementary Report presented by M. Justin Godart (No. 1939).—2nd Sitting. Debate continued. Debate on §§2-6.—20th June. 2nd Sitting. Debate adopted (§§2 and 3).—25th June. 2nd Sitting. A third supplementary Report presented by M. Justin Godart.—27th June. 2nd Sitting. Debate on §3 continued (new text of the Commission).



6.—*Hours of Work in Mines* (E.B. V., p. 332, No. 18).

Ch. d. D.: 22nd February. Report presented by M. Durafour on the draft Bill adopted by the Senate to amend the Act of 29th June, 1905, respecting hours of work in mines (No. 1680).—28th–29th March. 1st Debate. Declaration of urgency. General Debate.—30th March. 1st and 2nd Sitting. Discussion of the Clauses. Adoption of the draft Bill with amendments.

Sen.: 23rd May. Introduction of the draft Bill as adopted with amendments by the Chamber of Deputies (No. 160). Referred to the Commission previously appointed.

7.—*Assistance for the Unemployed.*

(a) Ch. d. D.: 26th January. Draft Bill to open an extraordinary credit of 1,000,000fr. for 1912, in the Budget of the Minister of the Interior, to assist the tin-box makers, workers and employees in fish-preserving factories, in the Department of Finistère, Morbihan and Cotes du Nord; presented by M. Le Bail and others (No. 1607). Referred to the Budget Commission.

(b) Ch. d. D.: 26th January. Draft Bill to appoint an extraordinary credit of 1,000,000fr. for 1912 in the Budget of the Minister of Marine for the assistance of fishermen who have suffered on account of the fishing crisis in the Department of Finistère; presented by M. Le Bail and others (No. 1608). Referred to the Budget Commission.

(c) Ch. d. D.: 20th June. 2nd Sitting. Draft Bill to appoint an extraordinary credit of 50,000fr. for 1912 in the Budget of the Minister of the Interior, for the assistance of workmen and workwomen in the textile industry of the town of Vienne (Isère) suffering from exceptional unemployment; presented by M. Brenier and others (No. 2030). Referred to the Budget Commission.

8.—*Unemployment.*

Ch. d. D.: 24th May. Draft Bill to reduce the cost of living and unemployment, and to improve labour conditions by establishing a national and commercial domain of agriculture and industry, and by the progressive nationalisation of land; presented by M. Vaillant. Referred to the Labour Commission.

9.—*Employment Bureaux.*

Ch. d. D.: 8th February. Draft Bill to suppress finally the non-gratuitous employment bureaux; presented by M. Georges Berry (No. 1649). Referred to the Labour Commission.

10.—*Protection of National Work.*

Ch. d. D.: 30th January. Draft Bill respecting the employment of foreign persons in establishments which benefit from concessions granted by the State, Departments, or Communes, or from contracts concluded in their names; presented by MM. Verlot and Honnorat (No. 1614). Referred to the Labour Commission.

11.—*Industrial Accidents.*

(a) Ch. d. D.: 29th January. Draft Bill to supplement §§2 and 4 of the Industrial Accidents Act of 9th April, 1898; presented by M. Toy-Riont (No. 1610). Referred to the Labour Commission.

(b) Ch. d. D. : 12th February. Bill to renew for a further period of five years the amount of the contribution provided for industrial accidents by non-licensed occupiers to the Guarantee Fund for industrial accidents ; presented by the Minister of Labour (No. 1657). Referred to the Social Insurance Commission.—15th March. 2nd Sitting. Report presented by M. Lairolle (No. 1769).—21st March. Declaration of urgency. Adopted.

Sen. : 23rd May. Bill as adopted by the Chamber of Deputies introduced by the Ministers of Labour and of Finance (No. 169). Referred to the Industrial Accidents Commission.

(c) (E.B. VI., p. 328, No. 1). Ch. d. D. : 27th February. 2nd Sitting. Report presented by M. Defontaine respecting the amendment of (1) the report re-considered in the preceding Session, on 17th June, 1910, respecting the draft Bills of MM. Ch. Leboucq, Daniel de Folleville, Defontaine and others, MM. Basly and Lebrun, respecting the amendment of the Industrial Accidents Act of 10th April, 1908 ; (2) of the Bill and the various draft Bills on the same subject.

(d) Ch. d. D. : 4th March. Draft Bill to create a preferential right for persons meeting with accidents to insurance benefits paid to the person responsible for the accident on account of his having insured against his liability (No. 1729). Referred to the Social Insurance Commission.—25th June. 1st Sitting. Report presented by M. Marquet (No. 2045).

(e) Ch. d. D. : 7th June. 1st Sitting. Draft Bill to ensure a permanent compensation to citizens sustaining injuries or falling ill in the State service (active or reserve army, or national defence) ; presented by MM. Peyroux and Patureau-Mirand (No. 1963). Referred to the Social Insurance Commission.

#### 12.—*Industrial Accidents in Agriculture.* (E.B. VI., p. 330, No. 3).

Ch. d. D. : 29th February. Report on the draft Bill adopted by Senate to extend the provisions of the Industrial Accidents Act of 9th April, 1898, to forestry ; presented by M. Emil Dumas.—30th March. 2nd Sitting. 1st debate. Declaration of urgency. Text of the Commission adopted.

Sen. : 23rd May. Draft Bill as amended by the Chamber of Deputies introduced (No. 161). Referred to the Commission appointed for the purpose.

#### 13.—*Contracts of Work.*

Ch. d. D. : 1st February. Draft Bill respecting the conditions imposed upon occupiers who make use of the service of persons under 18 years of age ; introduced by M. Doizy (No. 1616). Referred to the Labour Commission.

#### 14.—*Miners' Delegates.*

Ch. d. D. : 11th June. 2nd Sitting. Draft Bill to amend §6 of the Act of 9th May, 1905, respecting miners' delegates ; presented by M. Basly (No. 1977). Referred to the Mines Commission.

#### 15.—*Employment of Women and Children.*

(a) Sen. : 9th February. Bill to amend §7 of the Act of 2nd November, 1892, respecting the employment of women and children in industrial establishments ; presented by the Minister of Labour (No. 55). Referred to the Commission on the Employment of Women and Children in Industrial Occupations.

(b) Ch. d. D. : 31st May. 2nd Sitting. Draft Bill to amend the Act of 2nd November, 1892, respecting the employment of women and children in industrial establishments ; presented by M. Georges Berry. Referred to the Labour Commission.

16.—*Industrial Courts (Prud'hommes).*

(a) Sen. : 5th March. Bill respecting the list of cases of incapacity contemplated in §§49 and 50 of the Act of 27th March, 1907, respecting industrial courts ; presented by the Minister of Justice (No. 80). Referred to the Commission on Industrial Courts. Report presented by M. P. Strauss (No. 87).—8th March. Declaration of urgency. Adopted.

Ch. d. D. : 8th March. Bill as adopted in the Senate introduced by the Minister of Justice. Referred to the Labour Commission. Introduction and Reading of a report by M. Groussier. Declaration of urgency. Adopted.

(b) Sen. : 5th March. Bill to amend §§11, 14, 17 and 25, and to supplement §10 of the Act of 27th March, 1907, respecting industrial courts ; presented by the Ministers of Justice and of Labour (No. 79). Referred to the Commission on Industrial Courts.

17.—*Industrial Training.*

Sen. : 27th June. Draft Bill respecting the resumption of industrial training ; presented by M. Henry Michel. Referred to the Commission on Parliamentary Initiative.

18.—*Profit Sharing.*

Ch. d. D. : 23rd May. Draft Bill respecting compulsory profit-sharing in joint-stock companies ; presented by M. Justin Godart. Referred to the Labour Commission.

19.—*Hygiene and Safety of Workers.*

Sen. : 7th March. Report presented by M. Paul Strauss on the Bill to amend §§2, 4 and 6 of the Act of 12th June, 1893–11th July, 1903, respecting the hygiene and safety of workers (No. 93).

20.—*Invalidity.*

Ch. d. D. : 23rd May. Draft Bill respecting invalidity (No. 1915) ; presented by M. Patureau-Mirand. Referred to the Social Insurance Commission.

21.—*Child Labour* (E.B. VII., p. 232, No. 16).

(a) Ch. d. D. : 15th March. 2nd Sitting. Report presented by M. Lemire on M. de Monzie's draft Bill respecting the employment of children under 13 years of age in theatres (No. 1767).

(b) Ch. d. D. : 15th March. 2nd Sitting. Report presented by M. Lemire on M. Justin Godart's draft Bill to amend the Act of 2nd November, 1892, respecting permission for the employment of children under 13 years of age in industrial occupations (No. 1768).—14th June. 2nd Sitting. 1st debate. Declaration of urgency. Adopted.

Sen. : 14th June. Bill as adopted in the Ch. d. D. introduced (No. 194). Referred to the Commission on the labour of children, young persons and women in industrial occupations.

22.—*Codification of Labour Laws* (E.B. VI., p. 332, No. 13).

Sen. : 23rd May. Report presented by M. Strauss on the Bill to codify the Labour Laws adopted by the Ch. d. D. (Book II. of the Labour Code).

23.—*Terms of Notice.*

(a) Ch. d. D. 22nd January. Draft Bill to supplement §1780 of the Civil Code and to reckon terms of notice according to the duration of the workman's or the employee's period of service (No. 1596); presented by M. Leboucq. Referred to the Labour Commission.

(b) Ch. d. D. : 4th June. 2nd Sitting. Draft Bill respecting terms of notice for porters (No. 1953); presented by M. Georges Berry. Referred to the Labour Commission.

24.—*Apprenticeship.*

Sen. : 7th March. Draft Bill respecting apprenticeship; presented by MM. Henri Michel and Mascaraud. Referred to the Commission on Parliamentary Initiative.

25.—*Payment of Wages.*

Ch. d. D. : 24th February. Draft Bill to prevent disputes between ship-owners and seamen engaged for sea-fishing (No. 1689); presented by M. Guernier. Referred to the Marine Commission.

26.—*Marine Invalidity Funds.*

(a) Ch. d. D. : 23rd February. Draft Bill to amend §§1, 8, 11, 15, and 20 of the Act of 14th July, 1908, respecting the pensions of the Marine Invalidity Fund (No. 1685); presented by M. Le Bail and others. Referred to the Marine Commission.

(b) (E.B. VII., p. 230, No. 3). Ch. d. D. : 30th May. 2nd Sitting. 1st debate on the Bill providing that full account shall be taken of the period of service on board ship of registered seamen in the service of fishing enterprises between 16th April, 1902, and 1st January, 1908, according to the enrolment register.

27.—*Minimum Wage.*

Ch. d. D. : 20th March. Draft Bill to secure minimum wages for home workers in the ribbon and silk industries (No. 1785); presented by M. Durafour and others. Referred to the Labour Commission.

28.—*Protection of Mothers* (E.B. VI., p. 334, No. 33).

Sen. : 8th March. Continuation of the 2nd Debate on M. Paul Strauss' draft Bill respecting the protection of mothers and infants. §§2 and 3 referred to the Commission.

29.—*Assistance of Large Families.*

(a) Ch. d. D. : Draft Bill to grant a State bonus to needy families (No. 1644); presented by MM. Chéron and Le Cherpy. Referred to the Social Insurance Commission.—22nd February. Draft Bill respecting compulsory support for destitute widows with children (No. 1682); presented by MM. Chéron and Le Cherpy. Referred to the Social Insurance Commission.—25th June. 1st Sitting. Report presented by M. Lairolle on the two Bills introduced by MM. Henry Chéron and Le Cherpy (No. 2044).

(b) Ch. d. D. : 28th May. Draft Bill to secure an immediate money grant or a further annuity to French mothers of families from the time of the birth of their fourth child (No. 1936); presented by M. Messimy. Referred to the Social Insurance Commission.

(c) Ch. d. D. : 26th June. Draft Bill to secure annuities to all women with more than two children (No. 2056); presented by M. Dubuisson. Referred to the Social Insurance Commission.

### 30.—*Mutual Insurance Funds.*

Ch. d. D. : 1st March. Draft Bill to establish a central insurance fund for mutual insurance associations for seamen (No. 1717); presented by MM. Le Bail and Le Rouzic. Referred to the Marine Commission.—25th March. Draft Bill respecting the establishment of mutual insurance and reinsurance funds for seamen (No. 1803); presented by MM. Le Bail and Le Rouzic. Referred to the Marine Commission.

### 31.—*Provident Funds for French Seamen.*

Ch. d. D. : 23rd February. Draft Bill to amend §4 of the Act of 29th December, 1905, respecting the provident fund for French seamen (No. 1686); presented by M. Le Bail and others; Referred to the Marine Commission.

### 32.—*Cheap Dwellings.*

(a) (E.B. VII., p. 230, No. 5). Sen. : 19th January. Bill to amend certain provisions of the Act of 10th April, 1908, respecting smallholdings and cheap dwellings as adopted by the Ch. d. D. (No. 11); presented by the Minister of Labour and Finance. Referred to the Finance Commission.—3rd February. Report presented by M. Gauthier (No. 47).—20th February. 1st Sitting. 1st debate. Declaration of urgency. Adopted.

(b) Ch. d. D. : 1st February. Draft Bill respecting the erection of cheap dwellings by Communes (No. 1622); presented by MM. Sembat and Chéron. Referred to the Social Insurance Commission.

(c) Ch. d. D. : 18th March. Draft Bill to facilitate the building of cheap dwellings and to supplement the Act of 24th July, 1867 (No. 1773); presented by MM. Louis Marin and Ferri de Ludre. Referred to the Social Insurance Commission.—29th March. 2nd Sitting. Report presented by M. Bonne-vay on (1) the Bill to amend and supplement the Act of 12th April, 1906, respecting cheap dwellings; (2) the draft Bill of MM. Sembat and Henry Chéron respecting the erection of cheap dwellings by the Communes; (3) the draft Bill of MM. Louis Marin and Ferri de Ludre.

## IV. Australia

### (A) COMMONWEALTH\*

#### 4TH PARLIAMENT.

(2nd Session, 5th September to 21st December. Parliamentary Debates, Session 1911, Nos. 1-31.).

#### I.—*Arbitration & Conciliation.*

##### (a) Arbitration (Public Service) Bill.

H.R. 28th November. Introduction (3250).—29th November. 1R. Message of the Governor-General (3338, 3396).—1st, 4th, 5th December. 2R. and Committee (3562, 3591, 3687).—6th December, 3R. (3782).

\* H.R. = House of Representatives. Sen. = Senate. The numbers in brackets refer to pages of the Parliamentary Debates.

Sen. : 6th, 7th December, 1R., Debate (3772, 3872).—8th, 12th December. 2R. and Committee (4063, 4082).

H.R. 12th December. Bill received from the Senate, without amendment (4183).

Assent reported : H.R. 19th December (4809).—Sen. 19th December (4718).

(b) A Bill for an Act to amend the Commonwealth Conciliation and Arbitration Acts, 1904-1910.

H.R. : 20th September. Introduction (671).—5th October. 1R. (1132).

—17th-20th, 24th, 25th, 27th October, 1st November. 2R. and Committee (1439, 1523, 1645, 1698, 1734, 1796, 1950, 1986).—31st October. 3R. (2071).

Sen. : 1st November. 1R. (2068).—3rd, 10th, 15th November. 2R. (2220, 2468, 2580).—16th November. Report adopted (2704).—17th November. 3R. (2798).

Discussion of clauses on which the two Houses are not agreed : H.R. 17th, 21st November (2828, 2865).—Sen. 22nd November (2908).

Assent reported : H.R. 23rd November (3086).—Sen. 23rd November (3058).

#### *Invalid & Old Age Pensions Bill.*

H.R. : 4th December. Message of the Governor-General (3632).—5th December. 1R. and Committee (3686).—19th December. 2 and 3R. (4864).

Sen. : 20th December. 1 and 2R., Committee, and 3R. (4972).

H.R. 19th December. Bill received from the Senate without amendment (4876).

#### *Seamen's Compensation Bill.*

H.R. : 20th September. 1R. (673).—13th, 17th October. 2R, Committee, and 3R. (1435, 1443).

Sen. : 18th October. 1R. (1512).—6th December. 2R., Committee, and 3R. (3576).

Discussion of clauses on which the two Houses are not agreed : H.R. 6th, 7th December (3840, 3896).—Sen. 7th December (3843).—H.R. 12th December (4183).—Sen. 13th December (4195).—H.R. 13th December (4373).

Assent reported : H.R. 19th December (4809).—Sen. : 19th December (4718).

### (B) STATES

#### 1. NEW SOUTH WALES\*

##### 22ND PARLIAMENT.

(Second Session, 16th May to 27th July, 1911=Session 1911 Parliamentary Debates, Session 1911, Nos. 1-10.

Third Session, 23rd August, 1911, to 27th March, 1912 = Second Session, 1911-12.

Parliamentary Debates, Session 1911-12, Nos. 1-18, of the weekly, and Nos. 57-84 of the daily, Edition.)

\* L.C. = Legislative Council. L.A. = Legislative Assembly. The numbers in brackets refer to volumes and pages of the Parliamentary Debates, the 1st Session 1911 being denoted by I., the 2nd Session 1911-12 by II.

### 1.—*Coal & Shale Mines.*

(a) Coal Mines Regulation (Ventilation) Bill.

• Assent reported : L.A. 16th May (I, 24).—L.C. 16th May (I, 5).

(b) L.A. : 31st May. Motion (Edden) to bring in a Bill to amend the Coal Mines Regulation Act, 1902, the Coal Mines Regulation (Amending) Act, 1905, and the Coal Mines Regulation (Amending) Act, 1908 ; to bring certain persons under the Public Service Act, 1902 (I, 409).—7th June. IR. and Committee (I., 632).

(c) L.A. : 15th June. Motion (Edden) to bring in a Bill to provide for the establishment of State Coal Mines and the acquisition of lands for that purpose ; to amend the Acts relating to the Government Railways, the Mining Act, 1906, and the Crown Lands Acts (I., 843).—6th July. IR. and Committee (I., 1357).—20th February. Re-introduction. IR. (II., 2973).—1st, 11th March. 2R. (II., 3341, 3628).—12th March. Committee (II., 3709).—13th March. 3R. (II., 3821).

L.C. : 14th March. IR. (II., 3836).

(d) L.A. : 31st May. Motion (Edden) to bring in a Bill to regulate the hours of labour in coal and shale mines ; to amend the Coal Mines Regulation Act, 1902 (I., 410).

### 2.—*Consolidation Bills.*

L.A. : 27th March. Motion (Holman) to bring in Bills for the consolidation of enactments relating (1) to the early closing of shops, the providing for a Saturday half-holiday in shops, and the regulation of the hours of employment in shops ; (2) to the supervision and regulation of factories, bakehouses, laundries, dyeworks and shops ; the limitation in certain cases of the hours of working therein ; the extension of the liability of employers for injuries suffered by employees in certain cases ; the making provision for a minimum wage for certain persons, and for the payment of overtime and tea-money ; (3) to the regulation of coal-mines and collieries ; (4) to the regulating and inspecting of mines other than coal and shale mines ; (5) to the controlling of scaffolding and lifts ; (6) to banks and bank-holidays ; (7) to miners' accident relief ; (8) to friendly societies ; (9) to the better regulation of public service. IR. (II., 4485).

### 3.—*Early Closing (Amendment) Bill.*

L.A. : 25th March. Motion (Griffith) to bring in a Bill to regulate the closing hours of shops and the hours of employment of shop assistants and carters ; to repeal the Early Closing Act, 1899, the Early Closing (Amendment) Act, 1900, the Early Closing (Hairdressers' Shops) Act, 1906, the Saturday Half-Holiday Act, 1910, and the Early Closing (Amendment) Act, 1910 (II., 4354).

### 4.—*Friendly Societies.*

L.C. : 26th July. Motion (Flower) to amend the Friendly Societies Bill. IR. (I., 1919).—8th November. 2R. (II., 1533).—15th November. Committee (II., 1689).—22nd November. 3R. (II., 1896).

L.A. : 22nd November. IR. (II., 1908).

### 5.—*Housing Bill.*

L.A. : 23rd February. Motion (Dacey) to bring in a Bill to provide for the purchase, resumption, and appropriation of lands, and for the construction and maintenance of certain buildings and works for the use and disposal of

such lands and buildings ; to constitute a board for the above and other purposes, and a fund to meet the expenses of carrying out the above provisions ; to provide that certain land may be included in the city of Sydney, for purposes consequent thereon or incidental thereto. 1R. (II., 3078).—28th February. 2R. (II., 3249).—5th, 6th March. Committee (II., 3457, 3536).—8th March. Report adopted (II., 3610).—11th March. 3R. (II., 3662).

L.C. : 12th March. 1R. (II., 3696).—18th March. 2R. (II., 3939).—19th March. Committee (II., 4008).—20th March. 3R. (II., 4092, 4122).

Discussion of clauses on which the two Houses are not agreed : L.A. 20th March (II., 4165).—21st March. Discussion on the question of Privilege. Money Bill (II., 4208).

L.A. : 22nd March. Discharge of the Bill ; bringing in of the second Bill. Declaration of urgency. 1 and 2R., Committee, and 3R. (II., 4262, 4296).

L.C. : 25th March. 1 and 2R., Committee, and 3R. (II., 4304).

#### 6.—*Industrial Arbitration.*

L.A. : 30th May. Motion (Beeby) to bring in a Bill to provide for the regulation of the conditions of industries in certain particulars by means of industrial conciliation and arbitration for the repression of lock-outs and strikes ; to establish and define the powers, jurisdiction and procedure of an industrial court and certain subsidiary tribunals ; to preserve certain awards and industrial agreements ; to repeal the Industrial Disputes Act, 1908, the Industrial Disputes Amendment Act, 1908, the Industrial Disputes Amendment Act, 1909, the Industrial Disputes Amendment Act, 1910, and the Clerical Workers Act, 1910 ; to amend the Acts dealing with early closing of shops and certain other Acts (I., 393).—1st June. 1R. (I. 410).—14th June. Motion to 2R. Adjournment (I., 785).—27th, 28th and 29th June. Debates continued. 2R. (I., 896, 976, 1078).—12th, 13th July. Committee (I., 1516, 1610).—18th July. Adjournment (I., 1717).—16th November. Motion to reintroduce the debates in Committee (II., 1846).—21st, 22nd, 23rd, 27th, 30th November. Committee (II., 1871, 1909, 1975, 2010, 2137).—5th December. Motion to 3R. (II., 2370).—6th, 7th December. Committee (II., 2410, 2446).—8th December. 3R. (II., 2549).

L.C. : 11th December. 1R. (II., 2572).—21st, 28th, 29th February. 2R. (II., 2988, 3211, 3273).—6th, 7th, 12th, 13th, 14th, 18th March. Committee (II., 3485, 3537, 3673, 3751, 3836, 3934).—18th March. 3R. (II., 3962).

Discussion of Clauses on which the two Houses are not agreed : L.A. 18th, 19th March (II., 4006, 4087).—L.C. 20th, 21st March (II., 4096, 4175).—L.A. 21st March (II., 4229).—L.C. 22nd March (II., 4259).—L.A. 22nd March (II., 4264).—L.C. 25th March (II., 4302).—L.A. 25th March (II., 4310).

Free Conference of the two Houses : L.C. 26th March (II., 4356).—L.A. 26th March (II., 4406).

#### 7.—*Industrial Disputes.*

L.A. : 11th October. Motion (Carmichael) to bring in a Bill to repeal the Industrial Disputes (Amendment) Bill, 1909 (II., 1069).



### 8.—*Loan (Housing) Bill.*

L.A. : 25th March. Motion (Griffith) to bring in a Bill to authorise the raising of a loan for public works and services (II., 4354).—26th March. Committee. 1, 2 and 3R. (II., 4437).

L.C. : 27th March. 2 and 3R. (II., 4440, 4479).

### 9.—*Miners' Accident Relief (Sewer Miners).*

L.A. : 31st May. Motion (Edden) to bring in a Bill to extend to persons employed in or about sewer construction works, the provisions of the Miners' Accident Relief Act, 1900, the Miners' Accident Relief Amendment Act, 1901, and the Miners' Accident (Amendment) Act, 1910; to amend the said Acts and the Workmen's Compensation Act, 1910 (I., 410).—8th June. In Committee. 1R. (I., 676).—13th June. 2R. and Committee (I., 732).—14th June. 3R. (I., 811).

L.C. : 20th June. 1R. (I., 928).—12th July. 2R. and Committee (I., 1489).

### 10.—*Mines.*

(a) L.A. : 31st May. Motion (Edden) to bring in a Bill to amend the Mining Act, 1906 (I., 409).

(b) L.A. : 31st May. Motion (Edden) to bring in a Bill to extend certain provisions of the Mines Inspection Act, 1901, to quarries and dredges; to amend the Mines Inspection Act, 1901, and the Coal Mines Regulation Act, 1902 (I., 409).—15th July. Committee and 1R. (I., 844).

### 11.—*Old Age and Invalidity and Accidents Pensions (Repeal).*

L.A. : 31st May. Motion (Carmichael) to bring in a Bill to repeal the Old Age Pensions Act, 1900, and the Invalidity and Accidents Pension Act, 1907 (I., 409).—8th June. 1R. and Committee (I., 685).—13th June. 2R. (I., 731).—14th June. 3R. (I., 811).

L.C. : 28th June. 1R. (I., 928).—29th June. 2R. (I., 1003).—5th July. 3R. (I., 1265).

Assent reported: L.A. 12th July (I., 1512).—L.C. 12th July (I., 1479).

### 12.—*Saturday Half-Holiday Act.*

L.A. : 31st May. Motion (Beeby) to extend the Saturday Holiday Act, 1910, to other countries (I., 408).

### 13.—*Servants' Registry Offices.*

L.A. : 8th June. Motion (Beeby) to bring in a Bill to provide for the licensing and regulation of servants' registry offices (I., 658).

### 14.—*Shearers' and Agricultural Labourers' Accommodation.*

(a) L.A. : 8th June. Motion (Beeby) to bring in a Bill to provide for the accommodation of shearers and agricultural labourers; to repeal the Shearers' Accommodation Act, 1901 (I., 658).

(b) L.A. : 25th March. Motion (Griffith) to bring in a Bill to provide for the accommodation of shearers and agricultural labourers; to repeal the Shearers Accommodation Act, 1901 (II., 4353).

### 15.—*Steam Boilers.*

L.A. : 31st May. Motion (Holman) to bring in a Bill to regulate the construction and use of steam boilers ; to provide for inquiry into boiler explosions (I., 408).

### 16.—*Workers' Dwellings.*

L.A. : 1st June. Motion (Carmichael) to bring in a Bill to provide for the erection and construction of workmen's dwellings, and for the dedication, appropriation, purchase and resumption of lands ; to provide for the maintenance and management of such dwellings, and for the leasing of other disposal of the same (I., 512).—11th July. 1R. and Committee (I., 1473).

## 2. VICTORIA\*

### 22ND PARLIAMENT.

(4th Session, from 5th July to 19th October, 1911. Parliamentary Debates, Session 1911, Nos. 1-18.)

### 23RD PARLIAMENT.

(1st Session, from 5th to 21st December, 1911. Parliamentary Debates, 2nd Session, 1911, Nos. 1-5).

### 1.—*Apprenticeship Bill.*

L.A. : 27th September. Introduction and 1R. (1306).—12th October. Motion of 2R, Debate (1780).—18th October. Debate, 2R, and Committee (1901).

### 2.—*Coal Mines Regulation Bill.*

L.A. : 4th October. Message from the Governor. 1R. (1443).—12th October. 2 and 3R. (1773).

L.C. : 12th October. 1R. (1722).—19th October. Motion for 2R. negatived (1985).

### 3.—*Factories & Shops (Special Boards) Bill.*

(a) L.A. : 9th August. Introduction. 1R. (491).—12th September. 2R. (998).

(b) L.A. : 13th September. Introduction. 1R. (1033).—27th September, 13th October. Proposition of 2R., Debate (1328, 1816).—17th October. 2R., Committee, and 3R. (1852).

L.C. : 18th October. 1R. (1884).—19th October. 2R., Committee, and 3R. (1952).

Discussion of clauses on which the two Houses are not agreed : L.A. 19th October (2038, 2063, 2069).—L.C. 19th October (1977, 1985, 1996).

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L.C. = Legislative Council. L.A. = Legislative Assembly. The numbers in brackets refer to pages of the Parliamentary Debates of the 4th Session of the 22nd Parliament ; in the 1st Session of the 23rd Parliament no Bill respecting labour legislation was introduced.

4.—*Friendly Societies Bill.*

L.A.: 5th July. Introduction and 1R. (16).—19th July. Proposition of 2R., Debate (212).—15th, 17th August. 2R., Committee, and 3R. (587, 650).

L.C.: 22nd August. 1R. (660).—29th August. 2R., Committee, and 3R. (769).

Adopted: L.A. 6th September (928).—L.C. 13th September (999).

5.—*Industrial Associations Bill.*

L.C.: 1st August. 2R., Committee, and 3R. (350).

L.A.: 8th August. 1R. (469).

6.—*Mines Bill.*

L.A.: 12th July. Introduction 1R. (112).—16th August. Message from the Governor (608).

7.—*Railway Service Bill.*

L.A.: 27th September. Introduction, 1R. (1306).—6th October. 2R., Committee, and 3R. (1564).

L.C.: 10th October. 1R. (1592).—17th October. Debate, 2R., Committee, and 3R. (1832).

8.—*Scaffolding Inspection Bill.*

L.C.: 5th July. Introduction, 1R. (4).—19th July. 2R. (183).—25th July. Committee (250).—1st August. Adjournment (349).

9.—*Shearers' Hut Accommodation Bill.*

L.A.: 12th July. Introduction and 1R. (113).

L.C.: 13th September. 1R. (999).—27th September, 4th October. 2R. and Committee (1285, 1425).—11th October. 3R. (1645).

Discussion of clauses on which the two Houses are not agreed: L.A. 11th October (1714).—19th October (2043).

10.—*Wages Boards, Constitution of New.*

(a) Tramway Employees.

L.A.: 9th August. Adopted (490).—L.C.: 27th September. Adopted (1299).

(b) Rope and Cordage Makers.

L.A.: 9th August. Adopted (491).—L.C.: 27th September, 3rd October. Adopted (1304, 1368).

(c) Night Watchmen.

L.A.: 12th September. Adopted (964).—L.C.: 3rd, 12th October. Adopted (1369, 1717).

(d) Nurserymen and Master Gardeners.

L.A.: 26th September. Adopted (1250).—L.C.: 12th October. Debate (1718)—19th October. Adopted, with amendments (1955).—L.A.: 19th October. Adopted, with the amendments of the L.C. (2038).

(e) Tie-makers.

L.A.: 26th September. Adopted (1251).—L.C.: 12th October. Adopted (1720).

(f) Laundry Workers.

L.A.: 26th September. Debate (1252).

(g) Livery Stable Employees.

L.A. : 3rd October. Adopted (1387).—L.C. : 19th October. Adopted (1956).

(h) Furniture Salesmen.

L.A. : 3rd October. Adopted (1388).—L.C. : 19th October. Adopted (1956).

(i) Wholesale Grocers.

L.A. : 3rd October. Adopted (1389).—L.C. : 19th October. Adopted (1957).

(j) Makers of Cereal Foods, Condiments, Spices, Coffee, Chicory or Cocoa.

L.A. : 3rd October. Adopted (1389).—L.C. : 19th October. Adopted (1957).

(k) Commercial Clerks.

L.A. : 3rd October. Adopted (1390).—L.C. : 19th October. Adopted (1957).

(l) Country Shop Assistants.

L.A. : 10th October. Adopted (1614).—L.C. : 19th October. Debate (1961).—L.A. : 12th December. Resumed ; adopted (II., 185).—L.C. : 21st December. Adopted (II., 691).

(m) Asphalters and Tar-pavers.

L.A. : 12th December. Adopted (II., 186).—L.C. : 21st December. Adopted (II., 690).

(n) Straw Hat Manufacturers.

L.A. : 18th, 19th December. Debate (II., 446, 523).

## II.—*Workers' Accidents Compensation Bill.*

L.A. : 12th July. Introduction. 1R. (112).—13th July. Proposition of 2R., Debate (135).—26th, 27th July, 16th August, 5th, 6th October. 2R. and Committee (278, 288, 609, 1498, 1783).

## 3. QUEENSLAND.\*

### 18TH PARLIAMENT.

(3rd Session, from 11th July, 1911, to 9th January, 1912. Parliamentary Debates, Vols. CVIII., CIX. and CX.)

#### I.—*Liquor Bill.*

L.A. : 8th August. Initiation (446).—10th August. Committee and 1R. (487).—3rd, 10th, 12th, 13th, 18th, 19th October. Debate (1260, 1417, 1501, 1577, 1618, 1662).—19th October. 2R. (1688).—2nd November. Adjournment (1951).—7th, 8th, 9th, 14th, 15th, 16th, 21st November. Committee (2001, 2039, 2084, 2152, 2186, 2213, 2282).—23rd November. 3R. (2345).

L.C. : 23rd November. 1R. (2344).—28th, 29th, 30th November. Debate (2408, 2446, 2501).—5th December. 2R. (2604).—6th, 7th, 8th, 11th December. In Committee (2652, 2695, 2749, 2790).—12th December. 3R. (2835).

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\*L.A. = Legislative Assembly. L.C. = Legislative Council. The numbers in brackets refer to pages of the Parliamentary Debates.

Discussion of clauses on which the two Houses are not agreed: L.A. 12th December (2854).—14th, 15th, 18th December. Committee (2966, 2990, 3025, 3042).—19th December. Message to L.C. (3064).—L.C. 19th December (3045, 3047).—L.A. 20th December. Free conference (3085).—L.C. 20th December (3076).—L.A. 21st December. Report of the free conference (3109).—L.C. 21st December (3099).—4th January (3110).—L.A. 9th January. Message to L.C., intimating that Bill "is now lost" (3138).—L.C. 9th January. Message from the L.A. (3121).

## 2.—*Navigation Acts Amendment Bill.*

L.C.: 29th August. IR. (709).—30th August, 5th September. Debate, 2R. (739, 758).—6th September. Committee (802).—12th September. 3R. (881).

L.A.: 12th September. Introduction. IR. (921).—3rd October. 2R. (1280).—5th October. Committee (1334).—6th October. 3R. (1398).

Discussion of clauses on which the two Houses are not agreed: L.C. 10th, 11th October (1407, 1463).—L.A. 11th October (1495).

Assent reported: L.A. 26th October (1814).—L.C. 31st October (1858).

## 3.—*Sugar Works Bill.*

L.A. 1st August. Initiation (331).—2nd August. Committee, IR. (376).—16th, 17th August. Debate (577, 595).—22nd August. Debate continued. 2R. (624).—19th, 21st September. Committee (1026, 1109).—26th September. 3R. (1132).

L.C.: 26th September. IR. (1131).—27th September. Debate (1164).—10th October. Debate continued. 2R. (1399).—11th, 17th October. Committee (1455, 1568).—18th October. 3R. (1610).

Discussion of clauses on which the two Houses are not agreed: L.A. 18th October (1648).—L.C. 24th October (1728).

Assent reported: L.A. 31st October (1866).—L.C. 31st October (1858).

## 4.—*Wages Boards Act Amendment Bill.*

L.A. 29th November. Initiation (2473).—30th November. Committee IR. (2517).—13th December. Debate. 2R. Committee (2909).—14th December. Re-committed. 3R. (2947).

L.C. 18th December. IR. Debate (3000, 3021).—20th December, Debate continued. 2R. Committee. 3R. (3074).

Discussion of clauses on which the two Houses are not agreed: L.A. 20th December (3091).—L.C. 20th December (3084).—L.A. 20th December (3098).

Assent reported: L.A. 9th January (3134).—L.C. 9th January (3116).

## 5.—*Workers' Dwellings Act Amendment Bill.*

L.A. 19th October. Initiation, Debate (1649).—24th October. Committee. IR. (1741).—1st November. 2R. (1921).—2nd November. Committee (1935).—3rd November. 3R. (1961).

L.C. 7th November. IR. (1992).—22nd November. 2R. (2313).—23rd November. Committee (2344).—28th November. 3R. (2408).

Discussion of clauses on which the two Houses are not agreed : L.A. 28th November. Introduction of the Bill with amendments from L.C. (2418) —30th November. Committee (2522).—L.C. 5th December (2602).—12th December. Committee (2836).—L.A. 12th, 14th December (2864, 2965).—L.C. 18th, 19th December (3000, 3045).—L.A. 20th December (3085).

Assent reported : L.A. 9th January (3134).—L.C. 9th January (3116).

#### 4. SOUTH AUSTRALIA.\*

##### 20TH PARLIAMENT.

(2nd Session, from 28th June, 1911, to 3rd January, 1912. Parliamentary Debates, 2nd Session, 1911 ; L.C., Nos. 1-25 ; H.A., Nos. 1-26.)

##### 1.—*Aborigines Bill.*

H.A. : 8th August. Motion (Commissioner of Public Works) to restore the Aborigines Bill, 1910, to the notice-paper (280).—5th September. Committee (416).—6th September. Report (437).—7th September. 3R (450).

L.C. : 12th September. 1R. (194).—19th, 26th, 27th September, 5th, 17th October. 2R. and Committee (229, 265, 286, 325, 344).—19th, 24th, 31st October. Committee continued (370, 384, 411).—1st November. 3R. (420).

Discussion of clauses on which the two Houses are not agreed : H.A. 1st, 8th November (840, 902).—L.C. 9th November (468).

##### 2.—*Advances for Homes Bill.*

H.A. : 27th September. Motion (Attorney-General) to introduce a Bill to amend the Advances for Homes Act, 1910. 1R. (603).—4th, 5th October. 2 and 3R. and Committee (653, 665).

L.C. : 12th October. 1R. (336).—17th, 18th October. 2R. and Committee (338, 361).—19th October. 3R. (371).

##### 3.—*Early Closing.*

H.A. : 3rd October (622). Motion (Commissioner of Public Works) to introduce a Bill for an Act to consolidate and amend the law as to the closing times of shops.—25th October. 1R. (789).—7th, 8th, 10th, 15th November. 2R. and debate (873, 902, 929, 963).—23rd, 30th November in Committee. 3R. (1035, 1107).

L.C. : 30th November. 1R. (615).—5th December. 2R., Debate, and Committee (633).—6th, 7th December. Committee continued. 3R. (669, 691).

Discussion of clauses on which the two Houses are not agreed : H.A. 7th December (1192).—L.C. 12th December (717).—H.A. 12th, 13th December (1242, 1247).—L.C. 14th December (762).

\* H.A. = House of Assembly. L.C. = Legislative Council. The numbers in brackets refer to pages of the Parliamentary Debates, which are printed separately for the two Houses.

#### 4.—*Immigration.*

H.A.: 6th July (63). Motion (Treasurer) to introduce a Bill for an Act to encourage immigration into the State of South Australia, to repeal certain enactments relating to immigration, including certain provisions of the Railway Clauses Act, 1876, and for other purposes.—11th July. IR. (71).—13th, 25th July, 15th August, 5th September. Debate, 2R., and Committee (110, 169, 354, 414).—12th September, 7th November. 3R. (466, 880).

L.C.: 8th November. IR. (465).—9th, 14th, 21st, 22nd November. 2R. and Debate (468, 496, 549, 563).—23rd November. Committee and 3R. (572).

Discussion of clauses on which the two Houses are not agreed: H.A. 23rd, 30th November (1043, 1110).—L.C. 1st December (627).—H.A. 1st December (1132).—L.C. 5th December (632).

#### 5.—*Industrial Disputes.*

H.A.: 12th September. Motion (Attorney-General) to introduce a Bill for an Act to make better provision for dealing with industrial matters and disputes, and for purposes consequent on such provisions, including certain amendments of the Factories Act 1907-1910. IR. (460).—19th, 26th, 27th, 28th September, 4th, 5th, 12th, 17th, 18th October. Debate and 2R. (492, 559, 592, 604, 643, 659, 684, 697, 735).—18th, 19th, 26th, 31st October. 1st November. Committee and 3R. (737, 744, 807, 816, 842).

L.C.: 2nd November. IR. (429).—7th, 14th, 15th, 21st, 22nd, 23rd, 28th, 29th, 30th November, 1st, 7th, 8th December. 2R. and Debate (438, 484, 523, 538, 554, 567, 584, 600, 614, 626, 695, 707, 712).—12th December. 3R. (726).

Discussion of clauses on which the two Houses are not agreed: H.A. 15th December (1291).—L.C. 15th December (808).—H.A. 19th December (1309).—L.C. 19th December (820).

#### 6.—*Mining.*

H.A.: 12th October. Motion (Commissioner of Public Works) to introduce a Bill for an Act to further amend the Mining Act, 1893, and to amend the Mining Act Amendment Act, 1900. IR. (684).—9th November. 2R., Committee, and 3R. (920).

L.C.: 14th November. IR. (483).—16th November. Motion to 2R. (533).—21st November. 2R. (546).—22nd November. Debate, Committee, and 3R. (561).

Discussion of clauses on which the two Houses are not agreed: H.A. 22nd, 24th November (1026, 1064).—L.C. 28th, 30th November (581, 613).—H.A. 30th November, 1st December (1111, 1136).—L.C. 5th, 12th December (633, 716).

#### 7.—*Phosphorus Matches.*

H.A.: 26th September. Motion (Commissioner of Public Works) to introduce a Bill for an Act to prohibit the use of white phosphorus in the manufacture of matches, and to prohibit the sale of matches made with white phosphorus. IR. (563).—5th October. 2R. and Debate (665).

### 8.—*Purchase of Dwellings Bill.*

H.A.: 24th, 25th October. 1R. Motion (Anstey) to introduce a Bill for an Act to authorise the Government to purchase land and dwellings, and to purchase land for the erection thereon of dwellings, and to sell such land and dwellings, and for the creation of a Board to erect and let dwellings upon land purchased by the Government (786, 789).—15th November. 2R. (953).

### 9.—*Seating in Shops Bill.*

H.A.: 19th July. Motion (Attorney-General) to introduce a Bill for an Act relating to seating in shops and the hours of employment in shops. 1R. (138).—20th July. 2R. (159).

### 10.—*Steam Boilers.*

H.A.: 18th July (125). Motion (Commissioner of Public Works) to introduce a Bill for an Act relating to the fittings and working pressure of steam boilers and to provide for the registration and inspection of steam boilers and the examination and certifying of engine drivers.—19th July. 1R. (138).—10th August. 2R. and Committee (334).—15th August. Committee continued (345).—17th August. 3R. (391).

L.C.: 5th September. 1R. (170).—12th, 26th September, 5th, 17th, 18th, 19th, 24th, 25th, 26th, 31st October, 1st, 7th November. 2R. and Debate (204, 267, 324, 339, 364, 371, 389, 396, 407, 412, 428, 435).—8th November. 3R. (464).

Discussion of clauses on which the two Houses are not agreed: H.A. 23rd November (1049).—L.C. 28th, 29th November (581, 595).—H.A. 29th November, 1st, 7th December (1101, 1132, 1202).—L.C. 8th December (712).—H.A. 12th December (1242).—L.C. 13th, 14th December (741, 750, 771).—H.A. 15th December (1289).—L.C. 15th December (805).

### 11.—*Wages Boards, Constitution of New.*

- (a) The preparation and manufacture of aerated waters, cordials, ale, beer and all other beverages usually manufactured by manufacturers of aerated waters and cordials other than beer, as defined by the Beer Excise Act, 1901.

H.A.: 4th October. Committee. Adopted (653).

L.C.: 17th October. Consideration. Adopted (348).

- (b) Retail sellers of hardware, inclusive of ironmongery, crockery, glassware, glass, furniture, furnishings, saddlery, harness, paint, colours, oils, wallpaper, cutlery, jewellery, and electro-plate.

H.A.: 4th October. Committee. Adopted (654).

L.C.: 17th October. Consideration, adopted (348).

- (c) Wicker-workers and Basket-makers.

H.A.: 4th October. Committee, adopted (654).

L.C.: 17th October. Consideration (349).—25th October. Consideration continued (392). Adopted with modifications (294).

H.A.: 8th November. Adopted with the modifications of the L.C. (896).

L.C.: 7th December. Rescinded.

H.A.: 14th December. Committee. Rescinded (1277).—19th December. Committee. Rescinded (810).



- (d) Brickmakers, within the Hundreds of Kammantoo, Macclesfield, Strathalbyn, and Bremer.  
 H.A. : 4th October. Committee, adopted (655).  
 L.C. : 19th October. Consideration (375).—26th October. Consideration continued, not adopted (405).
- (e) Wholesale Grocers, Teamen, and Dairy Produce Salesmen.  
 H.A. : 4th October. Committee, adopted (655).  
 L.C. : 19th October. Consideration (375).—25th October. Consideration continued (394).
- (f) Boilermakers.  
 L.C. : 18th October. Consideration, adopted (351).  
 H.A. : 19th October. Committee, adopted (743).
- (g) Workers in Sheet, Plate, and Ornamental Glass.  
 H.A. : 12th October. Committee, adopted (683).  
 L.C. : 19th, 25th October. Consideration, adopted (376, 394).
- (h) Workers in marble, granite, slate and other stones for gravestones and monuments.  
 H.A. : 23rd November. Committee, adopted (1055).  
 L.C. : 30th November. Consideration, adopted (611).
- (j) Gardeners, including Growers of Vegetables, Horticulturists, Orchardists, Viticulturists, and Nurserymen.  
 H.A. : 30th November. Committee (1118).—6th December. Adopted (1165).  
 L.C. : 13th December. Not adopted (719).
- (k) Hotels, Clubs, and Coffee Palaces.  
 H.A. : 30th November. Committee, adopted (1119).  
 L.C. : 12th December, adopted (717).
- (l) Masons and Bricklayers.  
 H.A. : 5th December. Committee, adopted (1139).  
 L.C. : 12th December. Adopted (718).
- (m) Storemen, Packers, Porters, and Night-Watchmen, other than Storemen, Packers, Porters, and Night-Watchmen engaged in or about Shops.  
 H.A. : 5th December. Committee, adopted (1142).  
 L.C. : 12th December. Adopted (718).
- (n) Plasterers.  
 H.A. : 5th December. Committee, adopted (1142).  
 L.C. : 12th December. Adopted (719).
- (o) Orchardist, Horticulturist, and Vine-grower, and the drying, preserving and packing of fruit within those portions of the counties of Young, Hamley, Alfred, and Albert, which are situated within 10 miles of any part of the river Murray.  
 H.A. : 7th December. Committee (1186).  
 L.C. : 14th December. Consideration (771).—15th December. Message of the H.A. concerning free Conference (805).  
 H.A. : 15th December. Committee (1290).—19th December. Adopted with the proposed modifications in the free Conference (1305).  
 L.C. : 19th December. Adopted with the proposed modifications in the free Conference (812).
- (p) Builders' Labourers.  
 H.A. : 30th November. Committee, adopted (1119).  
 L.C. : 12th December. Consideration, adopted (7156).

## 12.—*Workmen's Compensation.*

H.A. : 6th July. Motion (Attorney-General) to introduce a Bill for an Act to amend the law with respect to compensation to workmen for injuries suffered in the course of their employment. 1R. (62).—11th July. Debate (71).—12th July. 2R. and Committee (100).—13th, 18th July. Debate adjourned (116, 126).—19th July. 3R. (140).

L.C. : 25th July. 1R. (30).—8th August, 12th, 19th, 20th, 27th, 28th September, 3rd, 4th, 5th, 12th, 17th, 24th, 25th October. 2R. Debate and Committee (101, 201, 223, 234, 283, 297, 300, 315, 321, 329, 341, 387, 396).—26th October. 3R. (407).

Discussion of clauses on which the two Houses are not agreed : H.A. 26th October, 8th, 9th November (813, 897, 906).—L.C. 9th, 14th November (468, 491).—H.A. 22nd November (1030).—L.C. 23rd, 28th November (567, 578).—H.A. 28th November (1069).—L.C. 30th November (609).—H.A. 30th November (1109).—L.C. 1st December (622).

## 5. WESTERN AUSTRALIA.

### 8TH PARLIAMENT.\*

(1st Session, from 1st November to 22nd December, 1911. Parliamentary Debates, Session 1911, Nos. 1-8.)

#### 1.—*Early Closing Act Amendment.* (Introduced by Mr. Angwin.)

L.A. : 14th November. 1R. (211).—22nd November. Debate, 2R. (379).—28th November. Committee (477).—30th November. 3R. (572).

L.C. 30th November. 1R. (546).—12th, 14th December. Debate, 2R. (777, 958).—15th-19th December. Committee (1049, 1163). 20th December. Report, 3R. Adopted with Amendments (1320).

Discussion of clauses on which the two Houses are not agreed : L.A. 20th December (1359).—L.C. 21st December (1361).

#### 2.—*Industrial Conciliation and Arbitration Act, 1902, Amendment.* (Introduced by Mr. Walker.)

L.A. : 9th November. 1R. (171).—21st November. Debate (331).—23rd November. Debate continued, 2R., and Committee (397).—28th November. Committee continued (475).—30th November. 3R. (572).

L.C. : 30th November. 1R. (546).—7th, 13th, 14th December. Debate (725, 846, 933).—15th December. 2R. (1027).—19th, 21st December. Committee (1172, 1372).—22nd December. 3R. Adopted with Amendments (1449).

Discussion of clauses on which the two Houses are not agreed : L.A. 22nd December (1539).—L.C. (1507).—L.A. (1554).—L.C. (1523).—Free Conference : L.A. (1563).—L.C. (1524).

#### 3.—*Shearers and Shedhands' Accommodation.* (Introduced by Mr. McDonald.)

L.A. : 21st November. 1R. (315).—29th, 30th November, 6th, 7th December. Debate, 2R., and Committee (542, 576, 696, 745).—12th December. Committee reported (781).—13th December. 3R. (890).

L.C. : 13th December. 1R. (846).

\* L.C. = Legislative Council. L.A. = Legislative Assembly. The numbers in brackets refer to pages of the Parliamentary Debates.

4.—*Workers' Compensation Act Amendment.* (Introduced by Mr. Hudson.)

L.A. : 21st November. IR. (315).—29th November. 2R. and Committee (540).—30th November. 3R. (572).

L.C. : 30th November. IR. (546).—14th December. Debate (961).

5.—*Workers' Homes.*

L.A. : 28th November. IR. (474).—5th December. Message of the Governor. Debate (641).—6th December. Debate continued and 2R. (684).—7th, 12th, 13th December. Committee (730, 781, 890).—14th December. 3R. (978).

L.C. : 14th December. IR. (957).—20th December. 2R. and Committee (1320).—21st December. Committee continued; Clause 19 re-committed; message to the L.A. (1364).—22nd December. 3R. (1498).

Discussion of clauses on which the two Houses are not agreed: L.A. 22nd December (1536).—L.C. (1498).

## 6. NEW ZEALAND.

### 17TH PARLIAMENT.\*

(4th Session, from 27th July to 28th October, 1911. Parliamentary Debates, 4th Session 1911, Nos. 1–27).

1.—*Coal Mines Amendment Bill.*

H.R. : 9th August. IR. (Vol. 154, p. 286).—18th August. 2R. (566).—5th September. Debate in Committee (Vol. 155, p. 271).—28th October. 3R. (Vol. 156, p. 1298).

L.C. : 28th October. IR., Debate (Vol. 156, p. 1284).

2.—*Conciliation and Arbitration Amendment Bill.*

H.R. : 28th July. IR. (Vol. 154, p. 7).—22nd August. 2R. (603).—26th October. Debate, Committee, and 3R. (Vol. 156, p. 1133).

L.C. : 27th October. IR., Debate, 2R., Committee, and 3R. (Vol. 156, p. 1186).

3.—*Friendly Societies Amendment Bill.*

H.R. : 8th July. IR. (Vol. 154, p. 7).—15th August. 2R. (435).—18th August. Committee (574).—22nd August. 3R. (603).

L.C. : 23rd August. IR. (Vol. 154, p. 623).—20th September. Debate, 2R. (Vol. 155, p. 738).—22nd September. Committee (Vol. 156, p. 36).—29th September. Debate and 3R. (245).

Discussion of Clauses on which the two Houses are not agreed: H.R. 6th October (Vol. 156, p. 442).—L.C. 13th October (Vol. 156, p. 554).—17th October (665).

4.—*Mining Amendment Bill.*

H.R. : 9th August. IR. (Vol. 154, p. 286).—18th August. 2R. (566).—24th October. Debate (Vol. 156, p. 979).—25th October. Committee, 3R. (1090).

\* L.C. = Legislative Council. H.R. = House of Representatives. The numbers in brackets refer to volumes and pages of the Parliamentary Debates.

L.C.: 26th October. 2R, Committee (1109).—27th October. 3R. (1175).

Discussion of clauses on which the two Houses are not agreed: H.R. 28th October (1311).—L.C. 28th October (1291).

5.—*National Sick and Accidents Pensions Bill.*

H.R.: 1st September. 1R. (Vol. 155, p. 200).

6.—*Old Age Pensions Amendment Bill.*

H.R.: 10th October. 1R. (Vol. 156, p. 485).—16th October. Debate and 2R. (610, 625).—17th October. Committee, 3R. (691).

L.C.: 18th October. 1R. (Vol. 156, p. 697).—19th October. 2 and 3R. (814).

7.—*Shearers' Accommodation Amendment Bill.*

H.R.: 28th July. 1R. (Vol. 154, p. 8).

8.—*Shipping and Seamen Amendment Bill.*

H.R.: 28th July. 1R. (Vol. 154, p. 7).—13th October. Debate and 2R. (Vol. 156, p. 585).—16th October. Committee, 3R. (651).

L.C.: 17th October. 1R. (Vol. 156, p. 657).—18th October. 2R., Committee, and 3R. (714).

Discussion of clauses on which the two Houses are not agreed: H.R. 19th October (Vol. 156, p. 838).—23rd October (937).—L.C. 25th October (1014).

9.—*Stone Quarries Amendment Bill.*

H.R.: 9th August. 1R. (Vol. 154, p. 286).—18th August. 2R. (578).—25th August. 3R. (749).

L.C.: 29th August. 1R. (Vol. 155, p. 1).—20th September. Debate and 2R. (740).—22nd September. 3R. (Vol. 156, p. 34).

10.—*Sunday Labour Bill.*

H.R.: 2nd August. 1R. (Vol. 154, p. 75).—6th September. Debate and 2R. (Vol. 155, p. 387).

11.—*Universal Saturday Half-Holiday Bill.*

H.R.: 22nd August. 1R. (Vol. 154, p. 602).

12.—*Workers' Compensation Amendment Bill.*

H.R.: 28th July. 1R. (Vol. 154, p. 7).—22nd August. 2R. (603).—18th August. Debate (Vol. 156, p. 760).—20th October. Committee and 3R. (903).

L.C.: 23rd October. 1R. (Vol. 156, p. 913).—25th October. Debate (1015).—26th October. 2R. (1094).—27th October. Committee and 3R. (1199).

Discussion of clauses on which the two Houses are not agreed: H.R. 27th October (1279).—L.C. 28th October (1282).—H.R. 28th October (1308).



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# National Labour Legislation

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## 1. LAWS AND ORDERS

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### United States.

### Summary of Labour Legislation in 1911.\*

#### 1. Labour Legislation of General Application

##### 1. HYGIENE.

(a) GENERAL PROVISIONS ON CLEANLINESS, SANITATION, ETC., IN WORK-PLACES.—*California*: Occupational diseases (from lead, phosphorus, arsenic or mercury, from anthrax, from compressed-air illness) to be reported by the physician to the State Board of Health with the name and full postal address and place of employment of the patient; ch. 485, 21st April, 1911 (962)—*Connecticut*: Occupational diseases to be reported by the physician to the Commissioner of the Bureau of Labour Statistics; provisions of the report; ch. 159, 18th July, 1911 (986)—*Illinois*: Medical examinations, physicians to make reports to the State Board of Health, working clothes for unhealthy works; p. 230, 26th May, 1911 (1014)—*Massachusetts*: Investigation concerning the proper lighting of factories and concerning the eye and vision in relation to diseases of occupation; ch. 603, 30th June, 1911 (1119)—*Michigan*: Occupational diseases to be reported by physician to the State Board of Health; No. 119, 25th April, 1911 (1133)—*Nebraska*: Water-closets and cleanliness in factories where eight or more persons are employed; ch. 67, 8th April, 1911 (1186)—*New Hampshire*: Medical and surgical chest; ch. 30, 28th February, 1911 (1201)—*New York*: Physician to report on occupational diseases; ch. 258, 6th July, 1911 (1232)—*North Carolina*: Medical and surgical chest; ch. 57, 1st May, 1911 (1245)—*Oklahoma*: Drainage, cuspidors, ventilation; ch. 125, 22nd March, 1911 (1276)—*Wisconsin*: Occupational diseases to be reported by the physician to the State Board of Health; ch. 252, 22nd June, 1911 (1401); ch. 330, 14th June, 1911 (1401). Spitting forbidden, cuspidors; ch. 407, 16th June, 1911 (1403).

\*The figures in brackets refer to pages in the "Bulletin of the Bureau of Labor," Washington, No. 97 November, 1911.



(b) LAVATORIES AND DRESSING-ROOMS, SANITARY ACCOMMODATION.—*Colorado* : Water-closets, dressing-rooms ; ch. 132, 5th June, 1911 (978)—*Illinois* : p. 330, 26th May, 1911 (1015)—*Iowa* : ch. 171, 3rd April, 1911 (1079)—*Minnesota* : ch. 288, 19th April, 1911 (1144)—*Nebraska* : 67, 8th April, 1911 (1186)—*New York* : ch. 866, 29th July, 1911 (1244)—*Oklahoma* : ch. 125, 22nd March, 1911 (1270)—*Pennsylvania* : Foundries wherein 10 or more men are employed to have wash- and dressing-rooms and water-closets ; p. 673, 7th June, 1911 (1284).

(c) EXHAUST FANS, ETC., VENTILATION.—*Colorado* : ch. 132, 5th June, 1911 (975)—*Illinois* : p. 330, 26th May, 1911 (1015)—*Michigan* : ch. 288, 19th April, 1911 (1144)—*Nebraska* : ch. 67, 8th April, 1911 (1186)—*Oklahoma* : ch. 125, 22nd March, 1911 (1270)—*Wisconsin* : ch. 170, 19th May, 1911 (1399).

## 2. PREVENTION OF ACCIDENTS.

(a) LIFTS, HOISTS, SHAFTING, DOORS, GUARDS, ETC.—*Colorado* : Belt shifters and other mechanical contrivances for dangerous machinery; hoistways ; doors to open outwardly ; ch. 132, 5th June, 1911 (974)—*Illinois* : Use of polishing-wheels in basements, etc., prohibited ; p. 314, 5th June, 1911 (1004)—*Iowa* : Guards ; ch. 172, 15th April, 1911 (1080)—*Massachusetts* : Inspection of elevators ; ch. 455, 18th May, 1911 (1109). Examination and licensing of operators of hoisting machinery ; ch. 656, 11th July, 1911 (1121)—*Nebraska* : Guards ; ch. 67, 8th April, 1911 (1186)—*New Jersey* : Doors to open outwardly ; stairways ; ch. 214, 24th April, 1911 (1222)—*Oregon* : Guards ; scaffolding ; ch. 3, 3rd September, 1910 (1272)—*Rhode Island* : Hoisting shafts ; ch. 701, 12th May, 1911 (1342)—*Wisconsin* : Doors not to be locked, and to open outwardly during working hours ; ch. 378, 15th June, 1911 (1402).

(b) STEAM BOILERS AND MACHINES.—*Colorado* : The Governor may appoint three deputies as well as a chief boiler inspector ; deputies must have had five years' experience ; ch. 86, 28th May, 1911 (966)—*Massachusetts* : Examination and licensing of stationary engineers and firemen ; ch. 562, 17th June, 1911 (1116). Inspector of steam boilers ; ch. 620, 30th July, 1911 (1120)—*Michigan* : Use of dangerous machinery prohibited ; ch. 288, 19th April, 1911 (1144). Guards ; ch. 354, 20th April, 1911 (1145)—*Wisconsin* : Guards ; ch. 466, 27th June, 1911 (1407) ; ch. 470, 28th June, 1911 (1408).

(c) FIRE ESCAPES, EMERGENCY EXITS, ETC.—*Colorado* : ch. 132, 5th June, 1911 (974)—*Connecticut* : ch. 239, 7th September, 1911 (987)—*Michigan* : ch. 288, 19th April, 1911 (1144)—*Nebraska* : Fire-escapes ; ch. 56, 10th April, 1911 (1181)—*Nevada* : Fire-fighting and rescue apparatus ; ch. 118, 18th March, 1911 (1191)—*New Hampshire* : Fire-escapes ; ch. 43, 9th May, 1911 (1202)—*New Jersey* : Fire-escapes ; ch. 214, 24th April, 1911 (1223)—*Pennsylvania* : p. 705, 8th June, 1911 (1287)—*Wisconsin* : ch. 441, 24th June, 1911 (1404).

(d) LIGHTING.—*Illinois* : Automatic gas-cocks and gas safety appliances in public buildings ; p. 146, 31st May, 1911 (1003)—*Massachusetts* : ch. 603, 30th June, 1911 (1119).

## 3. CONTRACTS OF WORK.

*Alabama* : Contracts of employment with intent to defraud ; p. 93, 9th March, 1911 (919)—*Colorado* : Protection of employees as members of labour organisations ; ch. 5, 27th March, 1911 (965)—*Nebraska* : Issue of licenses after determination of contract of employment ; ch. 66, 7th April, 1911 (1186)—*Wisconsin* : Investigation of contracts ; ch. 453, 27th June, 1911 (1407).

#### 4. HOME WORK.

#### 5. EMPLOYMENT OFFICES.

(a) PUBLIC EMPLOYMENT OFFICES.—*Indiana* : Establishment of three Employment Offices ; ch. 274, 6th March, 1911 (1060)—*Missouri* : p. 310, 27th March, 1911 (1152)—*Montana* : ch. 15, 10th February, 1911 (1154).

(b) PRIVATE EMPLOYMENT OFFICES.—*Indiana* : Modification of ch. 94 of the Acts of 1909 ; ch. 273, 6th March, 1911 (1060)—*Kansas* : Licensing fees ; ch. 187, 1st March, 1911 (1091)—*Maine* : Licensing fees ; ch. 87, 25th March, 1911 (1099)—*Minnesota* : Licensing fees ; ch. 274, 19th April, 1911 (1143)—*Nevada* : False advertisements are culpable ; ch. 154, 22nd March, 1911 (1192)—*New Hampshire* : No foreman, assistant, or master to accept fees for furnishing employment ; ch. 58, 17th March, 1911 (1202)—*New Jersey* : Modification of §2 of ch. 20 of 1907 by substituting throughout the words " common council or other governing body " for the words, " Mayor or other head officer " ; foremen not to accept fees for furnishing employment ; ch. 94, 31st March, 1911 (1212)—*New York* : False statements punishable ; ch. 575, 30th June, 1911 (1236)—*Pennsylvania* : Accepting fees a misdemeanour ; p. 746, 9th June, 1911 (1287). Modification of the Act of 1907, §§III., VIII. and XIV., p. 881, 13th June, 1911 (1336)—*Wisconsin* : False statements punishable ; ch. 364, 15th June, 1911 (1402).

#### 6. HOURS OF LABOUR.

(a) GENERAL REGULATION.—*California* : Saturday afternoons are made legal holidays in so far as public offices are concerned ; ch. 320, 321 (884)—*Connecticut* : One day weekly to be allowed, exceptions for certain occupations ; ch. 162, 25th July, 1911 (987)—*Hawaii* : Amendment of §3190 of the revised laws ; No. 49 (995)—*Idaho* : Eight-hour day on public works ; ch. 131, 1st March, 1911 (999)—*Massachusetts* : Labour in mills and factories on any legal holiday forbidden ; ch. 151, 17th March, 1911 (1103)—*New Jersey* : Eight-hour day ; ch. 243, 27th April, 1911 (1227). One half-hour to be allowed for the midday meal after being continuously employed for a period of not more than six hours ; fixing meal-times ; ch. 273, 27th April, 1911 (1228)—*Ohio* : Saturday afternoon a legal holiday ; p. 11 (884)—*Wisconsin* : Eight-hour day ; ch. 171, 19th May, 1911 (1400). Certain employments forbidden on Sundays ; ch. 614, 7th July, 1911 (1425).

(b) HOLIDAYS.—The 12th of October (Columbus Day) is a legal holiday in Alabama, Arkansas, California, Delaware, Idaho, Indiana, Kansas, Maine, Massachusetts, Nebraska, Oklahoma, Oregon, Pennsylvania, Texas, Vermont, Washington, West Virginia—*Alabama* : The Tuesday before Ash Wednesday, known as Mardi Gras Day (p. 120)—*Arkansas* : June 3rd, Jefferson Davis's Birthday (Act No. 286) ; General Election days (Act No. 47)—*California* : The Primary Election day (ch. 398)—*Hawaii* : The Thanksgiving Day (Act No. 167)—*Idaho* : June 15th, known as Pioneer Day ; ch. 158.

#### 7. WAGES.

(a) PAYMENT OF WAGES.—*California* : Payment of wages in unredeemable scrips prohibited ; ch. 92, 1st March, 1911 (948). Wages immediately payable after determination of contract ; monthly pay-day ; ch. 663, 1st May, 1911 (964)—*Connecticut* : Wages as preferred claims ; ch. 88, 8th June, 1911 (982)—*Delaware* : Payment of wages of a diseased employee ; ch. 259, 28th

March, 1911 (990)—*Idaho* : Restrictions of choice of boarding-houses forbidden ; ch. 123, 28th February, 1911 (999). Payment of wages due to discharged employees ; ch. 170, 7th March, 1911 (1000)—*Indiana* : Weekly pay-day in certain occupations ; ch. 68, 1st March, 1911 (1048)—*Kansas* : Payment of wages of a diseased employee ; ch. 189, 14th March, 1911 (1082). Payment of wages due to employees at termination of employment ; ch. 219, 14th March, 1911 (1092)—*Maine* : Weekly pay-day and payment of wages on the next pay-day ; ch. 39, 16th March, 1911 (1095)—*Massachusetts* : Wages to be paid before close of work-day ; ch. 249, 6th April, 1911 (1104)—*Missouri* : Payment of wages semi-monthly ; p. 150, 19th April, 1911 (1150)—*Nevada* : Payment of wages in unredeemable scrips prohibited ; ch. 66, 15th March, 1911 (1191)—*New Hampshire* : Payment of wages to be in cash ; ch. 78, 28th March, 1911 (1202)—*New Jersey* : Payment of wages semi-monthly to all county employees in counties of the first class ; ch. 88, 30th March, 1911 (1212)—*South Carolina* : Payment of wages due to discharged employees ; No. 24, 18th February, 1911 (1344)—*Tennessee* : Earnings of married women ; ch. 20, 27th March, 1911 (1348).

(b) ASSIGNMENT OF WAGES.—*Colorado* : Garnishment of wages of public employees ; ch. 143, 28th May, 1911 (979)—*Indiana* : Assignment of claims for collection outside the State through the Court of Justice prohibited ; ch. 62, 1st March, 1911 (1047)—*Maine* : Exemption from attachment of wages up to the sum of \$10 ; ch. 175, 30th March, 1911 (1103)—*Missouri* : It shall be illegal for any person to solicit a claim against a resident of this State with a view or with the intention of suing on it in another State ; p. 141, 18th April, 1911 (1149)—*New York* : Exemption of wages from execution ; ch. 532, 29th June, 1911 (1234)—*Wyoming* : Garnishment of wages of public employees ; ch. 568, 18th February, 1911 (1425).

(c) PROTECTION OF WAGES.—*Alabama* : Regulations for assignment of wages ; p. 370, 11th April, 1911 (921)—*Arkansas* : Orders for wages must be signed and registered by the employer ; assignments by married men only valid with the written consent of the wife ; Act 34, 20th February, 1911 (942)—*Massachusetts* : Assignment of wages only for a certain amount ; consent of the wife required ; ch. 727, 19th July, 1911 (1122)—*Minnesota* : Orders for wages must be signed by the employer ; the consent of the wife required ; ch. 308, 20th April, 1911 (1145)—*Missouri* : Requisites for the assignment of wages ; p. 143, 7th April, 1911 (1150)—*Montana* : Licenses for wage-brokers ; restrictions on the assignment of wages ; the consent of the wife required ; the rates of interest shall not exceed 12 per cent. per annum ; ch. 56, 27th February, 1911 (1156)—*New York* : Licenses for wage-brokers ; registration ; the rates of interest shall not exceed 18 per cent. per annum ; ch. 626, 8th July, 1911 (1237)—*Ohio* : Licenses for wage-brokers, the rates of interest shall not exceed 8 per cent. per annum ; p. 469, 7th June, 1911 (1257)—*Vermont* : Wages as preferred claims ; No. 143, 28th January, 1911 (1363)—*Wisconsin* : Wages as preferred claims ; ch. 17, 8th April, 1911 (1388).

(d) DEPOSITS.

## 8. RIGHT OF COMBINATION.

(a) PROTECTION OF LABOUR ORGANISATIONS.

(b) PROTECTION OF BADGES, ETC.—*Oregon* : ch. 73, 15th February, 1911 (1275).

(c) PROHIBITION OF BOYCOTTING, BLACKLISTING, ETC.—*Colorado* : False representations and notices on employment of labour prohibited ; ch. 160, 3rd April, 1911 (980).—*Connecticut* : Blacklisting prohibited ; ch. 163, 25th July, 1911 (987).—*Hawaii* : Interference with contracts prohibited ; No. 69, 6th April, 1911 (995). Enticing a misdemeanour ; fine, \$500 or six months imprisonment ; No. 70, 6th April, 1911 (996)—*Utah* : ch. 74, 18th March, 1911 (1354).

## 9. EMIGRATION AND IMMIGRATION.

*Hawaii* : Licences for emigrant agents, registration of emigrants ; No. 48, 4th April, 1911 (995). Hiring for emigration by false representations forbidden ; No. 90, 14th April, 1911 (996). Establishment of a Department of Immigration of five members ; No. 123, 21st April, 1911 (996)—*New York* : Licences for immigrant lodging houses ; fees ; ch. 845, 28th July, 1911 (1242).

## 10. PUBLIC WORKS AND CONTRACTS.

(a) WAGES.—*Massachusetts* : The wages of certain employees on public works shall be not less than \$2 25 cents a day ; ch. 541, 12th July, 1911 (1116).—*Oregon* : Rates of wages in the State Printing Office ; ch. 266, 23rd February, 1911 (1282).

(b) HOURS OF LABOUR.—*Connecticut* : Eight-hour day for mechanics in State institutions ; ch. 282, 20th September, 1911 (989).—*Massachusetts* : Eight-hour day ; ch. 494, 27th May, 1911 (1110).—*Nevada* : Fifteen-day leave in each calendar year, with full pay, for State employees who have been in the service of the State for six months or more ; ch. 20, 21st February, 1911 (1191).—*United States* : Eight-hour day for letter carriers ; ch. 241, 4th March, 1911 (1431).

(c) EMPLOYEES.—*Oklahoma* : Union labour preferred, Senate concurrent resolution No. 3, 5th—16th December, 1910 (1270).

(d) EMPLOYERS' LIABILITY ; NOTIFICATION OF ACCIDENTS.—*Nevada* : ch. 162, 23rd March, 1911 (1193).—*United States* : The employees under the Isthmian Canal Commission, when injured in the course of their employment have the right to receive compensation. When an injury results in death, claim for compensation on account thereof shall be filed within one year, after such death ; ch. 285, 4th March, 1911 (1432).

## 11. NATIVE LABOUR.

## 12. WORK IN PRISONS AND INSTITUTIONS.

*Florida* : The leasing of convicts prohibited. Joint Resolution No. 30 (917).—*Massachusetts* : Resolution ; ch. 143 (918).—*Texas* : The leasing of convicts prohibited ; 4th Session of the 31st Legislature of 1910 ; ch. 10 (918).—*Wyoming* : Commission on prison labour ; ch. 61 (918).

## 13. PROTECTION OF PERSONAL RIGHTS : EXERCISE OF FRANCHISE.

*Alabama* : Time to vote allowed without loss of wages ; p. 421, 14th April, 1911 (921).—*New Jersey* : Bribery of representatives of labour organisations forbidden ; ch. 94, 31st March, 1911 (1212).—*Wisconsin* : Half-holiday to be allowed for time to vote ; ch. 515, 3rd July, 1911 (1423).—*Wyoming* : Time to vote, one hour ; ch. 23, 15th February, 1911 (1425).

## II. Protection of Women and Children

### A. EMPLOYMENT OF WOMEN

#### 1. PROHIBITION OF EMPLOYMENT.

(a) MINES.—*Illinois* : p. 337, 6th June, 1911 (1040)—*Pennsylvania* : Unless in company with an experienced person over 18 years of age ; p. 756, 9th June, 1911 (1320)—*Wisconsin* : ch. 479, 28th July, 1911 (1412).

(b) SALE OF INTOXICATING LIQUORS.—*Connecticut* : Employment of females in saloons restricted ; amendment of ch. 265, §2, of the Public Acts, 1907 ; ch. 101, 22nd June, 1911 (983)—*Michigan* : Under 21 years ; No. 220, 1st May, 1911 (1140)—*Utah* : Under 21 years ; ch. 144, 21st March, 1911 (1357).

(c) EMPLOYMENT IN A STANDING POSITION.—*Michigan* : No. 220, 1st May, 1911 (1140)—*Vermont* : Under 18 years ; one chair to every three females : No. 70, 28th January, 1911 (1360)—*Washington* : ch. 37, 9th March, 1911 (1364)—*Wisconsin* : Under 16 years ; ch. 479, 28th June, 1911 (1410).

(d) SALE OF NEWSPAPERS.

(e) DANGEROUS WORKS.

(f) PROTECTION OF MOTHERS.—*Massachusetts* : Employment of women two weeks before or four weeks after childbirth forbidden in a mercantile, manufacturing, or mechanical establishment ; ch. 229, 31st March, 1911 (1104).

#### 2. HOURS OF LABOUR.

(a) UNDER 18 YEARS.—*Michigan* : Employment prohibited before 6 o'clock in the morning and after 6 o'clock in the evening in manufacturing establishments ; No. 220, 1st May, 1911 (1138).

(b) WITHOUT AGE LIMIT.—*California* : Eight hours a day and 48 a week in mercantile establishments, factories, mechanical establishments, laundries, hotels, restaurants, in the transmission or distribution of messages either by telegraph or telephone ; ch. 258, 22nd March, 1911 (948)—*Connecticut* : Fifty-eight hours a week in mercantile establishments, posting of notice of hours of labour ; ch. 278, 19th September, 1911 (988)—*Illinois* : Ten hours a day in mercantile and mechanical establishments, factories, workshop, hotels, restaurants, telegraph or telephone establishments ; p. 328, 10th June, 1911 (1013)—*Maine* : Ten hours a day, 58 hours a week ; ch. 55, 22nd March, 1911 (1096)—*Massachusetts* : Extension of the Acts of 19th June, 1909, ch. 514, to garment workers in mercantile establishments, 56 hours in a week ; ch. 313, 20th April, 1911 (1105) ; 10 hours a day, 54 a week, in manufacturing and mechanical establishments, posting of notice of hours of labour and beginning and ending of times allowed for meals ; ch. 484, 27th May, 1911 (1109)—*Michigan* : Nine to ten hours a day, 54 a week, posting of notice of hours of work and beginning and ending of times allowed for meals ; No. 220, 1st May, 1911 (1138)—*Missouri* : Nine hours a day, 54 a week, in mercantile, manufacturing establishments, and laundries ; p. 311, 7th April, 1911 (1153)—*Ohio* : Females over 18 years of age shall not be employed in factories, workshops, telephone or telegraph offices, millinery or dressmaking establishments, restaurants, or in the distributing or transmission of messages more than 10 hours in any one day or more than 54 hours in any one week ; p. 488, 17th June, 1911 (1258)—*South Carolina* : Twelve hours a day, 60 hours a week, employment after

10 o'clock p.m. prohibited ; No. 83, 18th February, 1911 (1345)—*Utah* : In manufacturing, mechanical, or mercantile establishments, laundries, hotels, or restaurants, telegraph or telephone establishments, hospitals, or offices, not more than nine hours a day and 54 hours a week, cases of emergency excepted ; ch. 133, 20th March, 1911 (1356)—*Washington* : In mechanical and mercantile establishments, laundries, hotels or restaurants, eight hours a day ; ch. 37, 9th March, 1911 (1364)—*Wisconsin* : Ten hours a day, 54 a week, one hour for dinner ; ch. 548, 3rd July, 1911 (1424).

### 8. HYGIENE : PREVENTION OF ACCIDENTS.

*Maine* : Seats to be provided for female workers ; ch. 26, 11th March, 1911 (1095)—*Minnesota* : Limewashing, cleaning of floors ; ch. 184, 18th April, 1911 (1142)—*Ohio* : Seats to be provided for female workers, lunch-rooms, half-an-hour for meals, toilet-rooms ; p. 488, 17th June, 1911 (1259)—*South Carolina* : Seats for female workers ; No. 93, 17th February, 1911 (1345).

## B. EMPLOYMENT OF CHILDREN AND YOUNG PERSONS.

### 1. PROHIBITION OF EMPLOYMENT.

(a) UNDER TEN YEARS.—*Colorado* : Girls not to sell newspapers ; ch. 95, 30th May, 1911 (969)—*Missouri* : Boys not to sell newspapers ; p. 132, 7th April, 1911 (1148)—*Nevada* : Amending of ch. 158, 1909 ; ch. 197, 27th March, 1911 (1197)—*New Hampshire* : Boys not to sell newspapers ; ch. 162, 15th April, 1911 (1203)—*South Carolina* : In mills, factories, mines, manufacturing, and textile establishments ; No. 18, 16th February, 1911 (1343).

(b) UNDER 11 YEARS.—*South Carolina* : In factories, mines, and textile establishments ; No. 18, 16th February, 1911 (1343).

(c) UNDER 12 YEARS.—*New Hampshire* : In factories, in mercantile and manufacturing establishments, telegraph or telephone offices, restaurants, bakeries, barber shops, or in the distribution or transmission of merchandise or messages ; ch. 162, 15th April, 1911 (1203)—*South Carolina* : In factories, mines, and manufacturing establishments ; No. 18, 16th February, 1911 (1343)—*Utah* : Boys not to sell newspapers, magazines, or periodicals in the streets or public places in any city of the first class ; ch. 439, 24th June, 1911 (1403).

(d) UNDER 14 YEARS.—*Colorado* : In any theatre, concert hall, or in or about any place of amusement where intoxicating liquors are made or sold, in mercantile establishments, workshops, bureaux or hotels, laundries, manufacturing establishments, in any bowling ground, freight or passenger elevator, factories, or in the transmission or distribution of messages ; ch. 95, 30th May, 1911 (967)—*Connecticut* : In mechanical, mercantile, or manufacturing establishments ; ch. 119, 28th June, 1911 (983)—*Indiana* : ch. 209, 6th March, 1911 (1055)—*Michigan* : In manufacturing and mercantile establishments, laundries, mines, bowling grounds, in any theatre, freight or passenger elevator, telegraph or messenger service ; No. 220, 1st May, 1911 (1138)—*Missouri* : In any gainful occupation except in agricultural pursuits and in domestic service ; p. 132, 7th April, 1911 (1146)—*New Hampshire* : Work during school time in certain occupations forbidden ; ch. 162, 15th April, 1911 (1203)—*New Jersey* : Occupation in mercantile

establishments during school time forbidden ; ch. 136, 7th April, 1911 (1218)—*New York* : Certain occupations forbidden ; ch. 866, 29th July, 1911 (1244)—*Oregon* : In factories, workshops, mercantile establishments, restaurants, bakeries, and hotels ; ch. 138, 21st February, 1911 (1277)—*Pennsylvania* : Occupation during school-time forbidden ; p. 309, 18th May, 1911 (1283)—*Tennessee* : In mills, factories, workshops, laundries, in telegraph or telephone offices, in the delivery or transmission of messages ; ch. 57, 4th July, 1911 (1348)—*Utah* : Occupation prohibited without an age and school certificate ; ch. 144, 21st March, 1911 (1357)—*Vermont* : Occupation prohibited without an age and school certificate ; No. 70, 28th January, 1911 (1359)—*West Virginia* : In factories, mills, shops, and manufacturing establishments, employment prohibited during school-time ; ch. 60, 27th February, 1911 (1386)—*Wisconsin* : Certain occupations prohibited ; ch. 479, 28th June, 1911 (1410).

(e) UNDER 15 YEARS OF AGE.—*California* : Employment in mercantile establishments, bureaux, laundries, factories, workshops, in or about any place of amusement, restaurants, in the transmission or distribution of messages ; children of dependent parents over the age of 12 years may be employed during a certain time. The permit shall contain the name and age of the child to whom it is issued and the date of the termination of the vacation for which it is issued ; ch. 456, 21st April, 1911 (957)—*Texas* : In establishments using dangerous machinery or in any other employment injurious to life, health, or morals ; ch. 46, 13th March, 1911 (1351).

(f) UNDER 16 YEARS OF AGE.—*California* : No certificate of age to be given unless the child is able to read and write simple sentences in the English language and perform the operations of the fundamental rules of arithmetic up to and including fractions or unless the child attends evening schools ; ch. 456, 21st April, 1911 (958)—*Colorado* : In music-halls and places of amusement where intoxicating liquors are made or sold in varieties, in occupations injurious to health or morals, in mines, foundries, about dangerous machinery, in the manufacture of paints, colours, or white lead, in preparing any composition in which dangerous or poisonous acids are used. Registers of the minors over 14 and under 16 years in such occupations ; certificates ; if they have not had an elementary education they must attend evening schools ; ch. 95, 30th May, 1911 (967)—*Connecticut* : Occupation in any mechanical, mercantile, or manufacturing establishment only with certificates giving the date of the birth, and stating that such child is able to read with facility, to legibly write simple sentences, and to perform the operations of the fundamental rules of arithmetic with relation both to whole numbers and to fractions, and does not appear to be physically unfit for employment. Registers of the minors under 16 years ; ch. 119, 28th June, 1911 (983) ; certain occupations prohibited ; ch. 123, 28th June, 1911 (948)—*Illinois* : In mines, certificates of age ; p. 387, 6th June, 1911 (1040)—*Indiana* : In tobacco warehouses, hotels, theatres, places of amusement, or any employment where their health may be injured or morals depraved, in establishments where malt, alcoholic liquors are manufactured, packed, wrapped, or bottled and in dangerous employments ; ch. 209, 6th March, 1911 (1056)—*Massachusetts* : Amendment of ch. 514 of the Act of 1909 ; ch. 269, 10th April, 1911 (1104)—*Michigan* : In theatres, music or dancing halls, moving picture shows, billiard rooms, etc. ; No. 220, 1st May, 1911 (1140)—*Missouri* : Certain dangerous occupations prohibited. Girls not to sell newspapers ; p. 132, 7th April, 1911 (1148)—*New Hampshire* : Work during school time permitted only if the child can

read understandingly and write legibly simple sentences in the English language; if it is mentally incapable of learning to read and write legibly the English language in the regular schools, work during school time is allowed; inspection of age and physical conditions. Girls not to sell newspapers in any street or public place; ch. 162, 15th April, 1911 (1203)—*New York*: Occupation in mercantile establishments, restaurants, theatres, etc., only with a certificate; ch. 866, 29th July, 1911 (1244)—*North Dakota*: ch. 153, §9, Acts of 1909, inserts the words "stamping machines in sheet metal and tinware manufacturing"; ch. 266 (1249)—*Oregon*: In telephone or telegraph offices or public messenger service, school attendance required, certificate of age; ch. 138, 21st February, 1911 (1277)—*Pennsylvania*: Occupation during school time only with a certificate; p. 309, 18th May, 1911 (1283). Employment in asphalt mines only with certificate of age and with consent of the father or guardian; p. 756, 9th June, 1911 (1320)—*Tennessee*: Certain occupations prohibited; ch. 57, 4th July, 1911 (1348)—*Utah*: Girls not to sell newspapers in any city of the first or second class; boys only with permits, but not after 9 o'clock in the evening; ch. 144, 21st March, 1911 (1358)—*Vermont*: In work connected with rail-roading, mining, manufacturing, or quarrying, in hotels, during school time forbidden without allowance; No. 69, 19th January, 1911 (1359). Certain occupations prohibited; No. 70, 28th January, 1911 (1360)—*West Virginia*: Occupation in factories, mills, shops, and manufacturing establishments only with certificate; ch. 60, 27th February, 1911 (1386)—*Wisconsin*: Boys for street trades must have permit in any city of the first class; loitering between the hours of nine in the forenoon and three in the afternoon during school time forbidden; ch. 439, 24th June, 1911 (1403); certain occupations prohibited; for occupation in factories, shops, telegraph or telephone offices, laundries, hotels, dancing halls and places of amusement, etc., minors between 14 and 16 years must have a permit; occupation in or about any place where intoxicating liquors are made or sold is forbidden. Registers of occupied minors; ch. 459, 28th June, 1911 (1409).

(g) UNDER 18 YEARS OF AGE.—*Connecticut*: In freight or passenger elevators running at a speed of over 200 feet per minute; ch. 123, 28th June, 1911 (985)—*Pennsylvania*: Tanneries are removed from the list of establishments in which minors under 18 years of age may not be employed; p. 832, 9th June, 1911 (1336)—*Wisconsin*: Girls not to sell newspapers in the streets in any city of the first class; ch. 439, 24th June, 1911 (1403); Certain occupations prohibited; ch. 479, 28th June, 1911 (1412).

(h) UNDER 21 YEARS OF AGE.—*Massachusetts*: Age certificates; ch. 310, 20th April, 1911 (1105)—*Michigan*: In theatres, concert-halls, or places of amusement where intoxicating liquors are sold; No. 220, 1st May, 1911 (1138)—*Utah*: In any place where intoxicating liquors are sold; ch. 106, 20th March, 1911 (1355); In messenger service in distributing or transmission of merchandise or messages; in houses of prostitution and in gambling houses; ch. 144, 21st March, 1911 (1357).

(i) WITHOUT AGE LIMIT.—*Alabama*: Unlawful employment of children; persons refusing information to the inspector shall be guilty of a misdemeanour, and shall be punished by a fine of not less than \$50 nor more than \$100; p. 546, 21st April, 1911 (940)—*Massachusetts*: In mercantile establishments, 56 hours in any one week; ch. 313, 20th April, 1911 (1105)—*Ohio*: Amendment of §12069 of the General Code; p. 413, 7th July, 1911 (1254)—*Wisconsin*: Occupations of minors over 14 years of age only with an age and school certificate; ch. 522, 3rd July, 1911 (1423).



## 2. HOURS OF LABOUR.

(a) UNDER 14 YEARS OF AGE.—*Colorado* : Employment prohibited before 7 o'clock a.m. and after 8 o'clock p.m. ; not more than eight hours a day ; ch. 95, 30th May, 1911 (967)—*Utah* : Boys, 54 hours in any one week in gainful occupation other than domestic service, fruit or vegetable packing ; ch. 144, 21st March, 1911 (1358)—*Wisconsin* : No boy shall in any city of the first class sell, expose or offer for sale any newspapers, magazines or periodicals after the hour of 6.30 p.m. and before 5 o'clock a.m. ; ch. 439, 24th June, 1911 (1403).

(b) UNDER 16 YEARS OF AGE.—*Colorado* : Eight hours a day and 48 a week ; employment prohibited after 8 o'clock p.m. ; ch. 95, 30th May, 1911 (967)—*Connecticut* : 58 hours a week in mercantile establishments ; ch. 278, 19th September, 1911 (988)—*Georgia* : In messenger service between 9 o'clock p.m. and 6 o'clock a.m. ; p. 117, 13th August, 1910 (992)—*Indiana* : Eight hours a day, 48 in a week or with consent not more than nine hours a day, 54 in a week ; not between the hours of 6 o'clock p.m. and 7 o'clock a.m. ; ch. 209, 6th March, 1911 (1055)—*Maine* : 10 hours a day, 58 a week with consent of the parents or the guardian ; ch. 55, 22nd March, 1911 (1096)—*Michigan* : Employment in messenger service, manufacturing establishments and shops forbidden between 6 o'clock p.m. and 6 o'clock a.m. ; register of the employed minors ; certificate of age for the minors above 14 years ; medical and school certificates ; No. 220, 1st May, 1911 (1138)—*Missouri* : Eight hours a day, 48 a week ; employment prohibited between 7 o'clock p.m. and 7 o'clock a.m. ; employment certificates ; meal-times for minors between 14 and 16 years ; employment age and school certificates ; registers of minors ; p. 132, 7th April, 1911 (1146)—*New Hampshire* : 11 hours a day, 50 a week, in all occupations except farm and housework ; employment prohibited between 7 o'clock p.m. and 6.30 o'clock a.m. ; minors of 16 years of age or over may work in retail stores and telephone exchanges until 10 o'clock in the evening ; certificates ; inspection ; ch. 162, 15th April, 1911 (1203)—*New Jersey* : In mercantile establishments not before 7 o'clock a.m. or after 7 o'clock p.m., except in one day in the week until 9 o'clock, between the 15th day and the 25th day of December until 10 o'clock p.m. ; ch. 136, 7th April, 1911 (1218)—*New York* : In mercantile establishments, telegraph bureaux, barbers' shops, in any place of amusement, in the distribution or transmission of merchandise or messages, 54 hours in a week, nine hours a day, not before 8 o'clock a.m. and after 7 o'clock p.m. ; 45 minutes meal-time ; ch. 866, 29th July, 1911 (1244)—*North Dakota* : Amending of §7 ; ch. 153 of the Acts of 1909 by changing from 60 to 48 the number of hours per week during which children under 16 years of age may be employed ; work during school hours forbidden ; ch. 266 (1249)—*Oregon* : Not before 7 o'clock a.m. and after 6 o'clock p.m. ; not more than 10 hours a day, six days in a week, 30 minutes' meal-time ; certificate to be on file ; ch. 138, 21st February, 1911 (1277)—*South Carolina* : Not before 6 o'clock a.m. and after 8 o'clock p.m., under no circumstances after 9 o'clock p.m. ; No. 18, 16th February, 1911 (1343)—*Utah* : Girls 54 hours in a week in gainful occupations, except farm and housework, fruit or vegetable packing ; ch. 144, 21st March, 1911 (1358)—*Vermont* : Employment after 8 o'clock p.m. forbidden ; No. 69, 19th January, 1911 (1359)—*Wisconsin* : 48 hours in a week, eight hours a day not before 7 o'clock a.m. or after 6 o'clock p.m., not more than six days in a week ; 30 minutes meal-time ; ch. 479, 28th June, 1911 (1411).

(c) UNDER 18 YEARS OF AGE.—*California* : Nine hours a day, 54 in a week, cases of emergency excepted ; employment between 10 o'clock p.m. and 5 o'clock a.m. prohibited ; list to be on file ; ch. 456, 21st April, 1911 (957). It shall be unlawful to vend and sell goods, engage in or conduct any business between the hours of 10 o'clock in the evening and 5 o'clock in the morning ; ch. 688, 1st May, 1911 (964)—*Maine* : Females under 18 years 10 hours a day, 58 in a week, for overtime the consent of the parents or of the guardian shall be first obtained ; ch. 55, 22nd March, 1911 (1096)—*Massachusetts* : 10 hours a day, 54 in a week ; schedule to be posted ; ch. 484, 27th May, 1911 (1109)—*Michigan* : 9-10 hours a day, 54 in a week, in factories, mills, warehouses, shops, laundries, and clothing manufacturing and mercantile establishments ; schedule to be posted ; employment in messenger service or in distribution or transmission of merchandise or messages forbidden between 10 o'clock p.m. and 5 o'clock a.m. ; No. 220, 1st May, 1911 (1138)—*New Hampshire* : Employment prohibited in the distribution or transmission of merchandise or messages between 10 o'clock p.m. and 5 o'clock a.m. ; girls : 11 hours a day, 58 hours in a week, not before 6.30 a.m. and after 7 p.m. in all gainful occupations except farm and house-work ; ch. 162, 15th April, 1911 (1203)—*New Jersey* : Employment prohibited before 5 o'clock a.m. and after 10 o'clock p.m. ; the Commissioner of Labour shall have power to grant permits under extraordinary circumstances for the delivery of telegrams or telephone messages ; ch. 363, 2nd May, 1911 (1229)—*North Carolina* : 60 hours per week, instead of 66 ; ch. 85, 4th March, 1911 (1245)—*Oregon* : Employment prohibited in the distribution or transmission of merchandise or messages before 5 o'clock a.m. and after 10 o'clock p.m. ; ch. 138, 21st February, 1911 (1277)—*Tennessee* : Employment prohibited in the distribution or transmission of merchandise or messages before 5 o'clock a.m. and after 10 o'clock p.m. ; ch. 57, 4th July, 1911 (1348).

(d) UNDER 21 YEARS OF AGE.—*Massachusetts* : Employment prohibited between 10 o'clock p.m. and 6 o'clock a.m. in the distribution or transmission of merchandise or messages in telegraph or telephone offices ; ch. 629, 3rd July, 1911 (1120)—*New Jersey* : Employment prohibited in the distribution or transmission of merchandise or messages in any city of the first class in telephone or telegraph bureaux between 10 o'clock p.m. and 5 o'clock a.m. ; exceptions may be permitted by the Commissioner of Labour ; ch. 363, 2nd May, 1911 (1229)—*New York* : Females between 16 and 21 years : 10 hours a day, 60 hours in a week in mercantile establishments ; employment prohibited before 7 o'clock a.m. and after 10 o'clock p.m. ; ch. 866, 29th July, 1911 (1244)—*Utah* : Employment prohibited in the distribution or transmission of merchandise or messages in telephone or telegraph offices in cities of the first and second class ; ch. 144, 21st March, 1911 (1357)—*Wisconsin* : Employment prohibited in cities of the first, second and third class in the distribution or transmission of merchandise or messages before 6 o'clock a.m. and after 8 o'clock p.m. ; ch. 479, 28th June, 1911 (1414).

### 3. APPRENTICESHIP.

#### 4. HYGIENE : PREVENTION OF ACCIDENTS.

*Minnesota* : Walls to be limewashed, floors to be scrubbed ; ch. 184, 18th April, 1911 (1142)—*New Jersey* : Inspection, ventilation, water-closets, dressing-rooms in mercantile establishments ; ch. 136, 7th April, 1911 (1218).

### III. Labour Legislation for Particular Trades

#### 1. AGRICULTURE.

#### 2. MINING.

(a) PROHIBITION OF EMPLOYMENT.—*Pennsylvania* : No boy under the age of 14 years shall be employed in or about any mine, unless in company with an experienced person over 18 years of age ; p. 756, 9th June, 1911 (1320). Minors under the age of 14 years shall not be employed in coal mines ; minors under 16 years only with employment certificates ; lists ; p. 983, 15th July, 1911 (1338)—*Texas* : Minors under 17 years not to be employed in mines and quarries ; ch. 46, 13th March, 1911 (1351)—*Wisconsin* : Minors under 18 years ; ch. 479, 28th June, 1911 (1412).

(b) EMPLOYEES.—*Indiana* : Examination of coal miners ; ch. 276, 6th March, 1911 (1062).

(c) HOURS OF LABOUR.—*Colorado* : Eight-hour day in all underground mines, underground workings, smelters, stamp-mills, etc. ; cases of emergency excepted ; ch. 149, 2nd June, 1911 (980)—*Montana* : Eight hours, except in cases of emergency ; ch. 21, 11th February, 1911 (1155)—*Nevada* : Eight hour day, except in cases of emergency ; ch. 188, 24th March, 1911 (1197)—*Pennsylvania* : Hoisting engineers at anthracite mines : Eight hours a day ; p. 102, 29th April, 1911 (1282) ; lunch time for children reduced from 45 minutes to 30 minutes ; p. 537, 1st June, 1911 (1284).

#### (d) PAYMENT AND PROTECTION OF WAGES.

(e) PREVENTION OF ACCIDENTS ; HYGIENE.—*Alabama* : Oils to be non-explosive ; inspection of oil ; p. 568, 21st April, 1911 (941)—*Illinois* : Escape shafts, gates and landings, hoisting apparatus, stairways, passageways, lighting, signal system, safety lamps, ventilation, doors, powders, refuge places, etc. ; p. 387, 6th June, 1911 (1027). Fire escape, ; p. 419 (1041). No drilling wells for oil or gas shall be nearer than 250 feet to any opening to a mine ; p. 426, 7th June, 1911 (1043)—*Iowa* : Escape shafts, hoisting apparatus, stairways, lights, escapes, ventilation, fire-extinguishers, oil ; ch. 106, 6th May, 1911 (1066). Washrooms for workmen ; ch. 222, 7th March, 1911 (1093). Storage of explosives in mines forbidden, distance of magazines ; p. 320, 27th March, 1911 (1154)—*Montana* : Ventilation, wash- and toilet-rooms, cleaning of stables, guarding ways and shafts in quartz mines ; ch. 72, 2nd March, 1911 (1157). Coal mines regulation : Washrooms, cages and landings, passage-ways, lights, ventilation, stables, safety lamps, powder, electric wires, supplies for first-aid, oils ; ch. 120, 7th March, 1911 (1157)—*Nevada* : Storage of explosives forbidden, tamping bars, ladders, escapes, exits, doors, ropes and cables, boiler inspection, ventilation, signals, smoke helmets ; ch. 201, 27th March, 1911 (1197)—*New Jersey* : Regulations for foundries : Ventilation, lights, heating, sanitation, provisions for accidents, etc. ; ch. 206, 24th April, 1911 (1222)—*Ohio* : Illuminating oil ; p. 149, 1st June, 1911 (1250). Guards for dangerous machines, sanitation ; p. 360, 12th June, 1911 (1251). Location of oil and gas wells from the mine : 300 feet ; p. 457, 12th June, 1911 (1256)—*Pennsylvania* : Fire drills ; p. 677, 7th June, 1911 (1284). Regulations for bituminous coal mines : exits, lights, brakes, ropes, coupling chains, ventilation, doors, safety lamps, electricity, hoisting apparatus, etc. ; p. 756, 9th June, 1911 (1287). All buildings inside of any coal mine shall be constructed of

incombustible material; p. 979, 15th June, 1911 (1338)—*Texas*: Electric wires, maps; ch. 97, 23rd March, 1911 (1351)—*Washington*: Magazines for explosives; ch. 65, 13th March, 1911 (1365).

(f) INSPECTION.—*Alabama*: Appointment of inspectors, experience, duties and rights of the chief inspector and the assistant inspectors; p. 500, 18th April, 1911 (922). The State prison inspector, or his chief clerk, or deputy inspectors, have the duty of inspecting mills, factories, and manufacturing establishments wherein women and children work; p. 546, 21st April, 1911 (940)—*Arkansas*: All employers must furnish the names of employees to assessors, etc.; Act No. 19, 7th February, 1911 (942). Rights and duties of the Commissioner of Health; Act No. 472, 2nd June, 1911 (946)—*California*: The term of the Commissioner of Labour depends on the pleasure of the Governor; ch. 21, 13th February, 1911 (947)—*Colorado*: Division of the State into four metalliferous mining districts, with one inspector for each of those districts; qualification of inspectors; ch. 91, 5th June, 1911 (966)—*Illinois*: Appointment of a Commission of nine members for investigation of mines; p. 65, 27th May, 1911 (1001). Establishment of the Illinois miners' and mechanics' institutes; p. 329, 25th May, 1911 (1013). Appointment of a State Mining Board, which shall be composed of five members; powers and duties of the board; inspection; p. 387, 6th June, 1911 (1019)—*Iowa*: Appointment of three inspectors of coal mines; ch. 106, 6th May, 1911 (1066)—*Michigan*: Appointment of an inspector; ch. 120, 7th March, 1911 (1157)—*Pennsylvania*: Inspection of bituminous mines; p. 756, 9th June, 1911 (1287)—*Washington*: Appointment of an inspector; ch. 63, 13th March, 1911 (1365)—*Wyoming*: ch. 101, 1st March, 1911 (1427).

(g) NOTIFICATION OF ACCIDENTS: EMPLOYER'S LIABILITY.—*Kansas*: Telephone required to give notice of danger; ch. 221, 11th March, 1911 (1093).

### 3. METAL TRADES.

(a) PLUMBERS.—*Arkansas*: Examination and licensing Acts; 285, 26th May, 1911 (945)—*Pennsylvania*: Examination and licensing; p. 680, 7th June, 1911 (1285).

### 4. MANUFACTURE OF MACHINERY, ETC.: ELECTRICAL WORKS.

### 5. CHEMICAL INDUSTRY.

### 6. TEXTILE TRADES.

*Georgia*: Ten hours a day, 60 in a week, in cotton and woollen manufacturing establishments instead of 11 and 66 respectively; p. 65, 21st August, 1911 (992)—*Massachusetts*: Use of suction shuttles forbidden; ch. 281, 13th April, 1911 (1105). Fines of weavers for imperfect work that may arise during the process of weaving forbidden; ch. 584, 22nd July, 1911 (1119)—*Texas*: Requirements as to bands, ties, etc., for cotton bales, 4th extra session of 1910; ch. 2, 31st August, 1910 (1349).

### 7. WOOD WORKS.

*Oregon*: Minors under 18 years shall not act as engineers or have charge of or operate any logging engine. It is forbidden for minors under the age of 16 years to act in the capacity of giving signals or receiving or forwarding such signals; ch. 74, 15th February, 1911 (1275).

Accidents to be reported ; ch. 128, 11th July, 1911 (985)—*Indiana* : Methods of reporting accidents ; ch. 76 (1049)—*Kansas* : Contributory negligence on the part of the employee does not affect the claim to compensation, but may be taken into consideration in the calculation of the compensation risks ; ch. 239, 7th March, 1911 (1094)—*New Hampshire* : ch. 164, 15th April, 1911 (1209)—*Oregon* : ch. 279, 24th February, 1911 (1282)—*South Dakota* : Knowledge of defective machinery shall not be a defence to an action for injury : contributory negligence on the part of employees does not affect the claim to compensation, but may be taken into consideration in the calculation of the compensation ; ch. 206, 25th February, 1911 (1346)—*Wisconsin* : ch. 472, 28th June, 1911 (1409).

#### (B) STREET RAILWAYS.

PREVENTION OF ACCIDENTS : HYGIENE.—*Delaware* : Enclosure of platforms ; ch. 272, 4th April, 1911 (990)—*Indiana* : Storm windows ; ch. 80, 2nd March, 1911 (1049)—*Iowa* : Brakes and sand equipments ; ch. 38, 15th April, 1911 (1065)—*Massachusetts* : ch. 345, 27th April, 1911 (1108)—*Washington* : ch. 117, 18th March, 1911 (1381).

#### (C) SHIPPING.

*United States* : Eight-hours day ; ch. 239, 4th March, 1911 (1431).

### IV. Administration

#### 1. ESTABLISHMENT, ETC., OF BUREAUX OF LABOUR.

*California* : Personnel of the bureau of labour ; ch. 634, 28th April, 1911 (964)—*Georgia* : Appointment of a Department of Commerce and Labour ; p. 133, 21st April, 1911 (992)—*Maine* : Appointment of a Department of Labour and Industry ; ch. 65, 22nd March, 1911 (1096)—*New Hampshire* : Bureau of labour created ; ch. 198, 15th April, 1911 (1210)—*Oklahoma* : Duties of the Commissioner of Labour ; assistants ; ch. 128, 22nd March, 1911 (1272)—*Utah* : Bureau of immigration, labour, and statistics created ; ch. 113, 20th March, 1911 (1355).

#### 2. COMMITTEES, ETC., ON SOCIAL QUESTIONS.

*Colorado* : Appointment of a Commission to make inquiry into the subject of compensation to employees for injuries received in the course of their employment, and particularly concerning the operation and effect of laws relating to the subject elsewhere, and to prepare a Bill ; ch. 231, 1st June, 1911 (982)—*Delaware* : Commission of five members to be appointed on child labour laws. Joint resolution ; ch. 284, 13th April, 1911 (991) ; Commission of six members to be appointed on employers' liability. Joint resolution : ch. 285, 13th April, 1911 (991)—*Iowa* : Commission of five members on employers' liability and workmen's compensation ; ch. 205, 11th April, 1911 (1080)—*Massachusetts* : Commission on homes for working men ; ch. 607, 30th June, 1911 (1119). Industrial accident board created ; ch. 751, 28th July, 1911 (1126). Commission on minimum wages of women and children. Resolution ; ch. 71, 11th May, 1911 (1131)—*Michigan* : Commission of five members on workmen's compensation ; No. 245, 1st May, 1911 (1141)—*New Jersey* : Commission of five members on old age insurance and pensions ; ch. 198, 24th April, 1911 (1221). Commission of three members on immigration ; ch. 362, 2nd May, 1911 (1229)—*New York* : Corporation created by the name

and title of "American Museum of Safety," to study and promote means and methods of safety and sanitation and the application thereof to any and all public or private occupations whatsoever, and for improving the general condition of the people; ch. 152, 19th May, 1911 (1231). Commission of nine members on investigation of conditions of labour in factories; ch. 561, 30th June 1911 (1235)—*North Dakota*: Commission of three members on workmen's compensation; ch. 12, 17th March, 1911 (1247)—*Ohio*: Commission of three members on workmen's compensation; p. 524, 15th June, 1911 (1264)—*Pennsylvania*: Commission of seven members on industrial accidents in mines, mills, factories, stores, and upon the railroads, street railways, etc.; p. 917, 14th July, 1911 (1337). Commission of nine members to revise and codify the present anthracite mining laws; p. 920, 14th June, 1911 (1337)—*Washington*: Commission on mine regulations; ch. 123, 17th March, 1911 (1384)—*West Virginia*: Commission on employers' liability and workmen's compensation. Senate joint Resolution; No. 22, 24th February, 1911 (1387)—*Wisconsin*: Industrial Commission created; ch. 485, 1st September, 1911 (1415).

### 3. INSPECTION OF LABOUR.

*Colorado*: Appointment of a Department of Factory Inspection; ch. 132, 5th June, 1911 (974)—*Illinois*: Appointment of additional inspectors and assistants; p. 326, 10th June, 1911 (1012)—*Indiana*: State bureau of inspection created. It shall consist of the following departments: department of inspection of buildings, factories, and workshops; department of inspection of mines and mining; department of inspection of boilers; ch. 226, 6th March, 1911 (1056)—*Iowa*: Demands of the inspector shall be made within 30 days (later 90); ch. 106, 1st March, 1911 (1066)—*New Jersey*: Additional inspectors; ch. 210, 24th April, 1911 (1222)—*New York*: Establishing of the office of State fire marshal. The State fire marshal, his deputies, or assistants, shall inspect all buildings and premises within their jurisdiction; ch. 451, 26th June, 1911 (1232). Assistant inspectors; ch. 729, 20th July, 1911 (1241)—*Ohio*: Appointment of two assistants of the chief inspector of factories and workshops; p. 456, 8th July, 1911 (1256). Inspection of steam boilers; p. 494, 13th June, 1911 (1259).

### 4. ARBITRATION AND CONCILIATION.

*Alabama*: Appointment of a board of arbitration and mediation; p. 320, 7th April, 1911 (920)—*Michigan*: Act No. 238 of the Public Acts of 1889, entitled "An Act to provide for the amicable adjustment of grievances and disputes that may arise between employers and employees, and to authorise the creation of a State Board of Mediation and Arbitration," is repealed; No. 254, 1st May, 1911 (1142).

## V. Employers' Liability and Insurance

*Alabama*: Employers' liability for injuries within the State of Alabama can be maintained by a personal representative of the employee. Distribution of the compensation; pp. 483 and 485, 18th April, 1911 (922)—*California*: Liability for defects, negligence of the employers' superintendence. Definition of the term "employee." Maximum for damages (injury \$1,000; death—at least \$1,000, at the most \$5,000). Appointment of a board of arbitration of three members, duties of that board; ch. 399, 8th April, 1911 (949)—*Colorado*: Employers' liability by negligence. Widows or next-of-kin who were dependent upon the wages of the deceased have a right of damages for action.

Maximum (in case of death \$5,000) ; ch. 113, 27th May, 1911 (974). Defects to be reported ; ch. 132, 5th June, 1911 (974)—*Connecticut* : Compensation by change of occupation ; ch. 44, 27th April, 1911 (982)—*Idaho* : Change of occupation to be reported ; ch. 228, 14th March, 1911 (1000)—*Illinois* : Employers' liability. Damages (in case of death \$1,500–3,500). Compensation system, medical examinations. Accidents to be reported ; p. 314, 10th June, 1911 (1004)—*Indiana* : Liability for defects by negligence. Assumption of risks ; ch. 88, 2nd March, 1911 (1049). Rebates forbidden ; ch. 179, 4th March, 1911 (1093)—*Kansas* : The employer shall not be liable in respect of any injury which does not disable the workman for a period of at least two weeks from earning full wages at the work at which he is employed, if it is proved that the injury to the workman results from his deliberate intention to cause such injury, or from his wilful failure to use a guard or protection against accident. Maximum of damages by death and injury. Payments to dependants. Medical examination. Lump sum after six months ; ch. 218, 14th March, 1911 (1082)—*Maine* : Accidents to be reported ; ch. 102, 28th March, 1911 (1102)—*Massachusetts* : Retirement systems for employees of cities and towns. Definition of the term "employee," organisation, members, retirement ; ch. 338, 22nd April, 1911 (1105). Employers' liability, assumption of risk, contributory negligence, system of compensation ; ch. 751, 28th July, 1911 (1123). Accidents to be reported ; ch. 110, 30th June, 1911 (1132)—*Michigan* : Change of occupation to be reported ; No. 68, 12th April, 1911 (1133)—*Montana* : Employers' liability. Widows or dependants have a right of damages. Contributory negligence. Assumption of risk ; ch. 29, 16th February, 1911 (1155)—*Nebraska* : Ch. 67, 8th April, 1911 (1188)—*Nevada* : Employers' liability, contributory negligence, compensation by death at the most \$3,000, accidents to be reported, disability, appeals ; ch. 183, 24th March, 1911 (1093)—*New Hampshire* : Employers' liability for dangerous employments, damages for injury and death, lump sum, medical examinations ; ch. 95, 4th April, 1911 (1213). Commission of six members on employers' liability. Accidents to be reported ; ch. 241, 27th April, 1911 (1227)—*North Carolina* : Change of occupation to be reported ; ch. 209, 8th May, 1911 (1246)—*North Dakota* : Change of occupation to be reported ; ch. 158, 3rd March, 1911 (1248)—*Ohio* : Accidents to be reported ; p. 53, 8th April, 1911 (1249)—*Oregon* : Employers' liability, damages for dependants, contributory negligence ; ch. 3, 3rd December, 1910 (1273). Accidents to be reported ; ch. 102, 18th February, 1911 (1275). Insurance, change of occupation to be reported ; ch. 173, 23rd February, 1911 (1281)—*Vermont* : Employers' liability, damages, the chief contractor has the liability ; No. 97, 28th January, 1911 (1361)—*Washington* : Change of occupation to be reported ; ch. 49, 10th March, 1911 (1364). No deduction from wages, measure of damages, accidents to be reported, lump sum, medical examinations ; ch. 74, 14th March, 1911 (1365)—*Wisconsin* : Definition of the term "employee," medical assistance, damages in case of disability, in case of death ; ch. 50, 3rd May, 1911 (1390). Change of occupation to be reported ; ch. 84, 5th May, 1911 (1399). Accidents to be reported ; ch. 469, 27th June 1911 (1408).

## II. PARLIAMENTARY NOTES

[NOTE.—The French, German, and English editions of the *Bulletin* are referred to as F.B., G.B., and E.B., respectively.]

### I. Austria\*

(House of Representatives, XX1st Session, March–December, 1912.)

#### 1.—*Contracts of Work.*

29th March. Report of the Economic Committee respecting the removal of penalties for breach of contract (App. 1186; Shorthand Report, 3278).

#### 2.—*Emigration.*

14th, 15th, 17th May. Report of the Economic Committee on the motion of Count Baworowski and others respecting the appointment of expert persons to report on conditions of emigration (App., 966, 1269; Shorthand Report, 3771, 3789, 3818).

#### 3.—*Bakehouses.*

10th June. Government Bill respecting the employment of workers in bakehouses (protection of bakers). (App., 1462; Shorthand Report, 4199.)

#### 4.—*Industrial Code.* (E.B. VI., p. 324, No. 4.)

29th March. Report of the Committee on Social Legislation respecting the amending and supplementing of §73 of the Industrial Code. 3rd Reading (App., 1239; Shorthand Report, 3281).

#### 5.—*Payment of Wages.*

26th March. Report of the Committee on Social Legislation, on the motions of Cingr and others, and Prokesch and others, respecting the legal regulation of the payment of wages in mines (App., 92, 214, 1230; Shorthand Report, 3041).—27th March. Debate. 3rd Reading. (Shorthand Report, 3064.)—30th May. Assented to (Shorthand Report, 4001).

#### 6.—*Postal Officials.*

3rd, 4th, 5th, 10th, and 11th June. Urgency motion of Pacher, Dr. V. Hofmann, Wastian, and others respecting conditions of service of Postal Officials (Shorthand Report, 4108, 4141, 4187, 4235, 4277).

#### 7.—*Insurance of Sea Fishermen.* (E.B. VI., p. 324, No. 7.)

4th July. Report of the Committee on Shipping and Sea Fisheries respecting:

(a) The Bill to extend the accident insurance to sea shipping and sea fisheries (App., 1488);

(b) The Government Bill to extend the sickness insurance to sea shipping and sea fisheries, and respecting provision in case of sickness for persons engaged in these occupations (App., 1489; Shorthand Report, 5098).

\* App. = Appendix to Shorthand Reports.



### 8.—*Social Insurance.*

19th June. Report of the Social Insurance Committee on the motion of Widholz, Smitka, and others respecting the application of the Act of 30th July, 1867 (R.G.Bl., No. 104), to the treatment of the Social Insurance Bill (App., 1439 ; Shorthand Report, 4405).

### 9.—*State Officials.* (G.B. IX., p. 179, No. 7.)

(a) 18th, 23rd April. 1st Reading of the Government Bill respecting conditions of service of State Officials and Servants (App., 962 ; Shorthand Report, 3318—3376).—24th April. Referred to the Committee on State Employees (Shorthand Report, 3426).—26th April. Report of the Committee on the legal regulation proposed by the Committee of the promotion of assistants in Government Offices and the position and salaries of Government Officials (App., 1108 ; Shorthand Report, 3492).—30th April, 3rd May. Report of the Committee on increases of salary for Post Office employees (App., 1300 ; Shorthand Report, 3540, 3573).—21st, 22nd, 23rd, 30th, 31st May, 3rd June. General Debate (App., 1364 ; Shorthand Report, 3902, 3936, 3982, 4003, 4043, 4081).—4th, 5th, 10th, 11th, 12th, 18th June. Special Debate (Shorthand Report, 4116, 4156, 4201, 4249, 4292, 4342).—19th June. 3rd Reading (Shorthand Report, 4398).

(b) 6th Dec. 1st Reading of the resolutions of the House of Lords on the Act respecting the conditions of service of State Officials and Servants (Service Code) (App., 1738), and on the Act to amend certain provisions of the Act of 25th Sept., 1908 (R.G.Bl., No. 204), to regulate the salaries of persons in the active service of the State belonging to the class of servants (App., 1739 ; Shorthand Report, 6102).—20th, 27th Dec. Report of the Committee on State Employees (App., 1776, 1779 ; Shorthand Report, 6460, 6481).

### 10.—*Accident Insurance.*

27th March. Report of the Committee on Social Legislation on the legislative motion of Löw and others, and Hudec and others respecting accident insurance in building undertakings. 3rd Reading (App., 63, 298, 1206 ; Shorthand Report, 3091).

### 11.—*Right of Association.* (E.B. VI., p. 324, No. 8.)

28th Dec. Report of the Constitutional Committee on the Bill respecting the exercise of the right of association (App., 1685 ; Shorthand Report, 6680).

### 12.—*Duplicating Apparatus.*

14th May. Report of the Judicial Committee on the resolution of the House of Lords on the Government Bill respecting the keeping of duplicating apparatus. 2nd and 3rd Reading (App., 1344 ; Shorthand Report, 3756).

## II. Belgium\*

(June to December, 1912.)

### 1.—*Employment of Women, Young Persons, and Children.*

Ch. d. R. 12th Nov. Bill introduced by the Minister of Industry and Labour to amend the Act of 13th Dec., 1889, respecting the employment of women, young persons, and children.

\* Ch. d. R. = *Chambre des Représentants*.

2.—*Insurance against Industrial Accidents.*

Ch. d. R. 12th Nov. Bill introduced by the Minister of the Exterior to sanction the agreement between Belgium and Germany.—6th Dec. Commission's Report presented by Van Cleemputte.—20th Dec. Debate and vote.

3.—*Sickness Insurance.*

Ch. d. R. 12th Nov. Bill introduced by the Minister of Industry and Labour respecting insurance against sickness, premature invalidity, and old age.

4.—*Insurance (Sea Fisheries).*

Ch. d. R. 12th Nov. Bill introduced by the Minister of Industry and Labour to establish an Insurance Fund for Sea Fisheries.

### III. France\*

(July to December, 1912.)

1.—*Old Age Pensions for Miners.*

(a) (E.B. VII., p. 412, No. 1.) Ch. d. D. 1st July. 2nd Sitting. Report presented by Roden on Albert Thomas's draft Bill to amend the Act of 29th June, 1894, and to create a national insurance fund for workers in mines, pits, and slate quarries (No. 2088).—9th July. 2nd Sitting. Expert report presented by Chéron in the name of the Budget Commission (No. 2151).—11th July. 1st Sitting. Declaration of urgency. Adoption of §§2-5.—12th July. 1st and 2nd Sitzings. Debate continued; Adoption.

Sen. 5th Nov. Introduction of the Bill adopted in the Chamber of Deputies (No. 337). Referred to the Bureaux.

(b) Ch. d. D. 6th July. Report presented by Basly to supplement the report of the previous Legislative period, presented again on 17th June, 1910, respecting Basly's draft Bill to amend the Act of 29th June, 1894, respecting insurance funds for miners (No. 2120).

2.—*Old Age Pensions for Railway Employees.* (E.B. VI., p. 335, No. 35; E.B. VII., p. 231, No. 10; p. 412, No. 2.)

Ch. d. D. 12th July. 2nd Sitting. 1st Debate on the draft Bill introduced by Raoul Briquet and others respecting the right of the railway employees, dismissed as a result of the strike in October, 1910, to old age pensions. Debate refused. Adoption of a resolution drafted by the Commission.

3.—*Old Age Pensions.*

(a) (E.B. VII., p. 412, No. 4.) Ch. d. D. 1st July. 2nd Sitting. Report presented by Chéron on his draft Bill to amend §62, paragraph 3, of the Act of 27th Feb., 1912, respecting old age pensions for workers and peasants, by extending to 1st Oct., 1912, the retrospective period granted to insured persons benefiting under the period of transition (No. 2083).—2nd July. 1st Sitting. Declaration of urgency. Adoption of the only amended clause.

Sen. 2nd July. Introduction of the Bill adopted in the Chamber of Deputies.—4th July. Report presented by Ferdinand-Dreyfus (No. 254).—9th July. Declaration of Urgency. Adopted.

Ch. d. D. = *Chambre des Députés.*

Sen. = *Sénat.*

(b) Ch. d. D. 6th July. Report presented by Chéron on §24, relating to old age pensions for workers and peasants, of the Bill respecting the opening and declaring void of credits sanctioned in the general Budget and in the special Budgets for the years 1911 and 1912 (No. 2125).—11th July. 1st Sitting. Declaration of urgency. Adoption under the new title: Bill to amend §9, paragraph 3, of the Act of 5th April, 1910, respecting old age pensions for workers and peasants.

Sen. 11th July. Introduction of the Bill adopted by the Chamber of Deputies; Referred to the Finance Commission.—8th November. Referred to a special Commission.—5th Dec. Report presented by Ferdinand-Dreyfus (No. 369).—13th Dec. Expert report presented by Ferdinand-Dreyfus in the name of the Finance Commission (No. 383).—20th Dec. Declaration of urgency. Adoption.

(c) Ch. d. D. 14th Nov. 2nd Sitting. Bill introduced by the Minister of Labour to amend §23 of the Act of 5th April, 1910—27th February, 1912, respecting old age pensions for workers and peasants (No. 2271). Referred to the Social Insurance Commission.—3rd Dec. 2nd Sitting. Report presented by Albert Métin.

4.—*Hours of Work.* (E.B. VI., p. 413, Nos. 29, 31; E.B. VII., p. 413, No. 5.)

Ch. d. D. 4th July. 2nd Sitting. Continuation of the Debate on the Bill to reduce the normal hours of work of adult workers in industrial concerns to ten hours; adoption of §§3, 4, and 5; adoption of the whole Bill.

Sen. 5th Nov. Introduction by the Minister of Labour of the Bill adopted by the Chamber of Deputies (No. 342). Referred to the Bureaux.

5.—*Relief of the Unemployed.*

Ch. d. D. 1st July. 2nd Sitting. Draft Bill introduced by Peyroux to open an extraordinary credit of 100,000frs. for 1912 for the Minister of the Interior for the relief of unemployed workmen and workwomen in the clothing industry of the town and district of Elbeuf (Seine-Inférieure) (No. 2081).

6.—*Regulation of Work.*

Ch. d. D. 3rd Dec. 1st Sitting. Draft Bill introduced by Lauche and others to regulate the employment of engineers and stokers in industry (No. 2323). Referred to the Labour Commission.—19th Dec. 2nd Sitting. Report presented by Lauche.

7.—*Industrial Accidents.*

(a) (E.B. VII., p. 229, No. 1e.) Ch. d. D. 19th Nov. 2nd Sitting. Declaration of urgency, and adoption of the Bill respecting the list of industries which are subject to the tax imposed for the establishment of a guarantee fund for the purposes of industrial accidents at the reduced rate for commercial establishments.

Sen. 3rd Dec. Bill introduced by the Minister of Labour (No. 366). Referred to the Commission on Industrial Accidents.

(b) (E.B. VII., p. 415, No. 11 b.) Sen. 29th Nov. Report presented by H. Boucher on the Bill adopted by the Chamber of Deputies to renew, for a further period of five years, the amount of the tax provided for industrial accidents payable by non-patented occupiers to the guarantee fund for industrial accidents (No. 359).

5th. Dec. 1st Debate. Declaration of urgency. Adoption.

(c) 3rd Dec. 1st Sitting. Draft Bill introduced by Defontaine and others to extend the benefits of the Act of 9th April, 1898, respecting industrial accidents, to the salaried staff of hospitals (No. 2324). Referred to the Social Insurance Commission.

8.—*Collective Contracts.*

Ch. d. D. 5th Dec. 2nd Sitting. Report presented by Groussier on the Bill respecting collective contracts of work.

9.—*Miners' Delegates.* (E.B. VI., p. 329; No. 1m.)

Sen. 29th Nov. Report presented by H. Boucher on the draft Bill adopted by the Chamber of Deputies to grant miners' delegates the benefits of the Industrial Accidents Act of 9th April, 1898 (No. 360).

10.—*Dangerous, Unhealthy, or Noxious Trades.* (E.B. II., p. 321, No. 21; E.B. VI., p. 333, No. 20.)

Sen. 10th Dec. Two supplementary reports presented by Chautemps on his draft Bill to amend the law relating to dangerous, unhealthy, or noxious trades (No. 377).

11.—*Industrial Instruction.* (E.B. VII., p. 416, No. 17.)

Sen. 22nd Nov. Report presented by Murat on the draft Bill introduced by Henri Michel and Mascuraud respecting the resumption of industrial instruction (No. 357).

12.—*Hygiene and Safety.* (E.B. VII., p. 416, No. 19.)

Sen. 5th Dec. Supplementary report presented by Strauss on the Bill to amend §§2, 4, and 6 of the Act of 12th June, 1893–11th July, 1903, respecting the health and safety of workers (No. 368).—17th Dec. Declaration of urgency. Adoption. New title: Bill to amend certain provisions of Book II. of the Labour Code respecting the health and safety of workers.

Ch. d. D. 19th Dec. 1st Sitting. Bill, as adopted by the Senate, introduced by the Minister of Labour (No. 2406). Referred to the Labour Commission. 2nd Sitting. Report presented by Groussier (No. 2408). Declaration of urgency.—20th Dec. 2nd Sitting. Bill adopted.

13.—*Codification of the Labour Laws.* (E.B. VI., p. 332, No. 13.)

Sen. 5th July. Adoption, with amendments, of the Bill adopted by the Chamber of Deputies to codify the Labour Laws (Book II. of the Labour Code).

Ch. d. D. 8th July. 1st Sitting. Bill adopted by the Senate introduced by the Minister of Labour (No. 2131). Referred to the Labour Commission.—10th July. 3rd Sitting. Report presented by Groussier.—12th Nov. 1st Sitting. Declaration of urgency. Adopted.

14.—*Apprenticeship.* (E.B. VII., p. 417, No. 24.)

Sen. 5th July. Summary of the Report presented by Surreaux on the draft Bill of Henri Michel and Mascuraud respecting apprenticeship (No. 262).—12th July. Debate. Referred to the Bureaux.—3rd Dec. Debate referred to the Apprenticeship Commission.

Ch. d. D. 20th Dec. 2nd Sitting. Report presented by Constant Verlot on (1) the Bill respecting technical, industrial, and commercial instruction (2) the draft Bill introduced by Dron respecting the organisation of apprenticeship by continuation courses (E.B. VI., p. 330, No. 5); (3) the draft Bill introduced by Siegfried respecting the organisation of continuation courses.

15.—*Payment of Wages.*

(a) Ch. d. D. 9th June. 2nd Sitting. Report presented by Guernier on the draft Bill adopted by the Senate respecting the seizure of salaries and perquisites of workers and employees.

(b) (E.B. VII., p. 417, No. 25.) Ch. d. D. 9th July. 2nd Sitting. Report presented by Guernier on his Bill to prevent disputes between shipowners and seamen engaged for deep-sea fishing in settling wages.

16.—*Marine Invalidity Fund.*

(a) Ch. d. D. 5th Nov. Bill introduced by the Ministers of Finance and Labour, respecting the annuities paid by the Marine Invalidity Fund before 1st January, 1908 (No. 2211). Referred to the Marine Commission.

(b) (E.B. VII., p. 417, No. 26.) Sen. 7th Nov. Introduction of the Bill adopted by the Chamber of Deputies providing that full account shall be taken of the period of service on board ship of registered seamen in the service of shipping enterprises between 16th April, 1902, and 1st Jan., 1908, according to the enrolment registers (No. 343). Referred to the Marine Commission.—10th Dec. Report presented by Perreau.—19th Dec. Expert report presented by Chautemps in the name of the Finance Commission (No. 396).—20th Dec. Declaration of urgency. Adoption.

17.—*Protection of Mothers.*

(a) Ch. d. D. 8th Nov. 1st Sitting. Draft Bill introduced by Ghesquière and others respecting compulsory protection of mothers and the fixing of bonuses and birth and nursing premiums for mothers who rear their children themselves (No. 2251). Referred to the Social Insurance Commission.

(b) (E.B. II., p. 323, No. 31; E.B. VI., p. 339, No. 57.)

Sen. 3rd, 5th Dec. Continuation of the second Debate on the draft Bill introduced by Strauss respecting the protection and maintenance of mothers and infants. Adoption. New title: Draft Bill respecting rest for women after confinement.

Ch. d. D. 10th Dec. 2nd Sitting. Introduction of the draft Bill adopted by the Senate (No. 2355). Referred to the Labour Commission.—19th Dec. 2nd Sitting. Report presented by Lemire.

18.—*Assignment of the Salaries of State Officials.*

Ch. d. D. 9th July. 2nd Sitting. Report presented by Guernier on the draft Bill of Bonnevey to amend the Act of 21st Ventose of the year IX., fixing the amount of the assignable part of the salaries of State officials.

19.—*Weekly Day of Rest.*

Ch. d. D. 12th Dec. 2nd Sitting. Draft Bill introduced by Aubriot and others to amend §36 of Book II. of the Labour Code (No. 2373). Debate on the question of urgency. Referred to the Labour Commission.

20.—*Arbitration Agreements.*

Ch. d. D. 5th July. 2nd Sitting. Draft Bill introduced by Paul Boncour and others to institute for registered seamen a compulsory contract respecting arbitration in case of strikes (No. 2114). Referred to the Labour Commission.

21.—*Protection of National Work.*

Ch. d. D. 19th Dec. 2nd Sitting. Draft Bill introduced by Léon Pasqual to exclude foreigners from the Administrative Councils, and other paid posts in the recognised public benefit institutions, and to reserve these places for re-instated subordinate officers (No. 2414). Referred to the Army Commission.

22.—*State Employees.*

Ch. d. D. 5th Nov. Bill introduced by the Ministers of Marine and Finance to grant an annuity to the assistant workmen and workwomen of the Marine Department, taking into account former service in the Department (No. 2230). Referred to the Budget Commission.

23.—*Assistance for Large Families.*

(a) Ch. d. D. 2nd Sitting. Draft Bill introduced by Nouhaud respecting support for large and impecunious families by granting a monthly allowance for all children under 13 from the fourth child. Referred to the Social Insurance Commission.

(b) (E.B. VII., p. 417, No. 29 a.) Ch. d. D. 11th July. 2nd Sitting. 1st Debate on the two draft Bills introduced by Chéron and Le Cherpy to make a State grant to impecunious families and respecting the compulsory support of destitute widows with children. Declaration of urgency. Adoption of §§1-12. Rejection of §§13, 14, and 15.

(c) (E.B. VII., p. 417, No. 29 b.) Ch. d. D. 12th July. 1st Sitting. Report presented by Honnorat on the draft Bill introduced by Messimy, to make an immediate money grant, or to grant a further annuity, to French mothers of families from the birth of the fourth child.

(d) Ch. d. D. 12th Nov. 1st Sitting. Report presented by Dubuisson (1) on the draft Bill introduced by Adigard and Louis Marin respecting the maintenance of large and impecunious families ; (2) on the draft Bill introduced by Patureau-Mirand to grant an annual allowance of 100frs. for each child in impecunious families with four children under 13 years of age ; (3) on the draft Bill introduced by Steeg, respecting compulsory support for large families ; (4) on the draft Bill introduced by Driant respecting the protection of large families ; (5) on the draft Bill introduced by de la Trémouille respecting the support of large families by granting an annuity for each child under 13 in the case of more than four children (No. 2259).

(e) Ch. d. D. 21st Nov. 1st Sitting. Draft Bill introduced by Mignot-Bozérien to grant an allowance per head in large families in proportion to the number of children after the fourth, until the children in whose names the allowance is made are 13 years of age (No. 2291).—Referred to the Social Insurance Commission.

24.—*Cheap Dwellings.*

(a) (E.B. VII., p. 418, No. 32.) Ch. d. D. 9th July. 2nd Sitting. Expert report presented by Chéron in the name of the Budget Commission on : (1) The Bill to amend and supplement the Act of 12th April, 1906, respecting cheap dwellings ; (2) the draft Bill introduced by Sembat and Chéron respecting the building of cheap dwellings by the Communes ; (3) the draft Bill introduced by Louis Marin and Ferri de Ludre to facilitate the building of cheap dwellings and to supplement the Act of 24th July, 1867 (No. 2152).—4th July. 2nd Sitting. Declaration of urgency. Adoption of §1.—11th July. 2nd Sitting. Debate continued. Adoption.

Sen. 12th July. Bill adopted by the Chamber of Deputies introduced by the Minister of Labour, the Minister of the Interior, and the Minister of Finance. Referred to the Bureaux.—19th Nov. Report presented by Strauss (No. 352).—3rd Dec. Expert report presented by Pierre Baudin in the name of the Finance Commission.—10th, 12th Dec. 1st Debate. Declaration of urgency. Adoption.

(b) Ch. d. D. 11th July. 2nd Sitting. Report presented and read by Lucien Voilin on the Bill to authorise the City of Paris to lend 200 million francs for cheap dwellings. Declaration of urgency. Adoption.

Sen. 11th July. Adoption by the Chamber of Deputies of the Bill introduced by the Minister of Finance. Report presented by A. Lefèvre. Declaration of urgency.—12th July. Adoption.

#### 25.—*Compulsory Support of the Aged, Infirm, and Incurable.*

Ch. d. D. 5th Nov. Bill introduced by the Ministers of the Interior and of Finance to amend §§1, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 17, 18, 19, 20, 25, and 41 of the Act of 14th July, 1905, respecting the compulsory support of the aged, infirm, and incurable (No. 2218). Referred to the Social Insurance Commission and to be considered by the Labour Commission.

## IV. Germany

(Reichstag, 13th Legislative Period, 1st Session, 1912, 7th February–22nd May, 1912.)

#### *Budget Debate (Social Questions).*

14th–20th Feb. 5th–10th Sittings (Shorthand Report, 15A–171C). 1st Debate.—28th Feb.–13th March. 15th–25th Sittings (Shorthand Report, 301D–631D). 2nd Debate.—18th March–21st May. 29th–68th Sittings (Shorthand Report, 756A–2202A). Continuation and conclusion of the 2nd Debate.—22nd May. 69th Sitting (Shorthand Report, 2233C). 3rd Debate.

## V. Great Britain & Ireland\*

(Session 1912, February–August.)

#### 1.—*Aliens.*

Bill to secure that the Labour Exchanges established in pursuance of the Labour Exchanges Act, 1909, shall not provide an additional incentive to aliens to enter the United Kingdom. Mr. Gibbs, H.C., 1R., 14th March.

Bill to amend the Aliens Act, 1905. Mr. O'Grady, H.C., 1R., 25th April.

#### 2.—*Character Notes.*

Bill to make compulsory the giving of character notes. Mr. Wardle, H.C., 1R., 6th May.

#### 3.—*Civil Service Estimates (Home Office).*

Debate, 17th July, 1912.

Lord Henry Bentinck on lead-poisoning, accidents, dangerous trades, inadequate number of factory inspectors, and Truck Act; Mr. Noel Buxton on lead-poisoning; Mr. Gill on factory inspection; Mr. Gordon Harvey on

\* H.C. = House of Commons; H.L. = House of Lords; R. = Reading; Q. = Question.

conditions in Lancashire cotton mills ; Mr. W. E. Harvey on accidents in mines and workmen's compensation ; Mr. Hills on lead poisoning in the Potteries and proposed International Agreement ; Mr. Hohler on workmen's compensation ; Mr. Jowett on anthrax ; Mr. Alfred Lyttelton on lead-poisoning and the proposed International Treaty, and the demand for more women inspectors ; Sir A. Markham on inspection of mines ; Mr. George Roberts on the appointment of factory inspectors ; Mr. Albert Smith on the Truck Act and textile trades.

#### 4.—*Cheap Trains.*

Bill to amend the law relating to cheap trains for the working classes. Mr. Bowerman, H.C., 1R., 16th April.

#### 5.—*Checkweighing.*

Bill to provide for checking the weight or measurement of materials produced, handled or gotten by workmen paid by weight or measure in certain industries. Mr. Hodge, H.C., 1R., 2nd April.

#### 6.—*Children.*

##### (a) EMPLOYMENT OF—

Bill to amend the Employment of Children Act, 1903, and for other purposes connected therewith. Mr. Beck, H.C., 1R., 19th Feb. ; 2R., 29th March. Referred to a Standing Committee ; Report, 3rd July.

##### (b) MEALS FOR—

Bill to amend the Education (Provision of Meals) Act. Mr. Jowett, H.C., 1R., 13th March.

#### 7.—*Co-partnership.*

Bill to provide the adoption of Co-partnership by statutory and other companies. Mr. James Hope, H.C., 1R., 12th June.

#### 8.—*Cotton Trade.*

Number of firms in Lancashire having carding engines with automatic locking motions for the covers over the cylinders. H.C., 1st March. Q., Mr. Gill.

Number of cotton-spinning mills and the number of persons employed in each county. H.C., 28th Feb. Q., Mr. Gill.

Number of prosecutions for time-cribbing. H.C., 11th June, Q., Mr. Gill.

Bill to make it illegal for any employer in a cotton factory to impose a fine on a workman for spoiled work or for any other cause. Mr. Albert Smith, H.C., 1R., 26th March.

#### 9.—*Dangerous Trades.*

##### (a) INDUSTRIAL POISONS.

Number of cases of industrial poisoning reported in 1910-1912. H.C., 4th March. Q., Mr. Ramsay MacDonald.

##### (b) ANTHRAX.

Number of cases of anthrax. H.C., 19th Feb. Q., Mr. Charles Bathurst.

Number of cases of anthrax in woolcombing. H.C., 29th Feb. Q., Mr. Jowett.



## (c) BRONZING.

Proposed regulations for bronzing. H.C., 22nd Feb. Q., Lord Henry C. Bentinck.

## (d) LEAD.

Statistics of cases of lead-poisoning in the Potteries, and new regulations. H.C., 30th April, 11th June. Qs., Mr. Noel Buxton.

10.—*Factory and Workshop Acts.*

Number of trades under the Particulars Clause of the Factory and Workshop Act and the number of workpeople employed in each. H.C., 5th March. Q., Mr. Gill.

Proposal to amend the law as far as relates to men's workshops. H.C., 5th March. Q., Mr. Ramsay MacDonald.

Use of workshops for sleeping purposes and meals. H.C., 15th May. Q., Mr. Ramsay MacDonald.

Bill to repeal §157 of the Factory and Workshop Act, 1901. (Government Bill), Lord Ashby St. Ledgers. H.L., 1R., 28th Feb.; 2R., 4th March; Committee, 7th March; Report, 14th March; 3R., 19th March. H.C., 1R., 22nd March.

Bill to amend the Factory and Workshop Act, 1901, by making provision for reducing the number of hours in cotton factories to 48 per week. Mr. Gill, H.C., 1R., 26th March.

Bill to amend the Factory and Workshop Acts of 1901 and 1907 in respect to underground premises used as factories, workshops or workplaces in which persons of either sex are employed in certain trades and industries. Lord Willoughby de Broke. H.L., 1R., 28th March; 2R., 24th April; Motion for re-committal agreed to, 11th, 16th July; reported, 24th July; 3R., 30th July.

Bill to amend the Factory and Workshop Act, 1901, by making provision for reducing the number of hours in textile factories to 48 per week. Mr. Bowerman, H.C., 1R., 21st May. (See also under No. 8, *Cotton Trade*.)

11.—*Hours of Work.*

Bill to limit the hours of employment to eight per day. Mr. William Thorne, H.C., 1R., 29th Feb.

## (a) ASYLUMS OFFICERS.

Bill to limit the hours of employment of officers and servants in asylums and to amend the Asylums Officers' Superannuation Act, 1909. Viscount Wolmer, H.C., 1R., 26th Feb.

## (b) BAKEHOUSES.

Bill to restrict the hours in bakehouses to eight hours per day and not more than 48 hours per week, and to regulate the same. Mr. Wilkie, H.C., 1R., 29th Feb.

## (c) RAILWAYS.

Bill to provide for the establishment of a working day of eight hours for certain grades employed on railways. Mr. Hudson, H.C., 1R., 28th March. Bill to regulate railway offices and the hours of labour therein. Mr. Wardle, H.C., 1R., 6th May.

12.—*Housing of the Working Classes.*

Housing of the Working Classes Bill. Mr. Montague Barlow, H.C., 1R., 6th August.

Bill to provide for the better application and enforcement of the Housing of the Working Classes Acts, and to amend the Small Dwellings Acquisition Acts, 1899. Sir Arthur Griffith Boscawen, H.C., 1R., 19th Feb.; 2R., 15th March; referred to a Standing Committee; Report, 18th June.

Bill to amend the Housing, Town Planning, etc., Act, 1909. Mr. Cassel, H.C., 1R., 15th April.

### 13.—*Inspection.*

Inspection of factories and workshops. H.C., 21st March. Q., Mr. Ramsay MacDonald.

Factory inspectors in India. H.C., 13th June. Q., Mr. Albert Smith.

Inspection of mines and factories. H.C., 17th June. Q., Mr. Barnes.

### 14.—*Industrial Agreements.*

Bill to make agreements come to voluntarily between employers and workmen in the Port of London legally enforceable on the whole trade. Mr. Ramsay MacDonald, H.C., 1R., 25th June.

### 15.—*Insurance.*

Bill to amend the provisions of the National Insurance Act, 1911, with respect to the valuation of approved societies having insured members in various parts of the United Kingdom. Mr. Wilkie, H.C., 1R., 30th July.

### 16.—*King's Speech.*

14th February, 1912. "You will be invited to consider proposals for dealing by legislation with certain social and industrial reforms."

Motion on the Address, 15th Feb., Mr. J. Ramsay MacDonald: Legislation securing a minimum living wage, etc.

### 17.—*Mines.*

Bill to provide a minimum wage in the case of workmen employed underground in coal mines and for purposes incidental thereto. (Government Bill). Mr. Asquith, H.C., 1R., 19th March; 2R., 21st March; Committee, 22nd March; 3R., 26th March. H.P., 1 and 2R., 27th March; Committee, Report and 3R., 28th March. Royal Assent, 29th March.

Bill to consolidate enactments relating to coal mines and certain other mines. Mr. Annan Bryce, H.C., 1R., 2nd May.

### 18.—*Nationalisation of Railways and Canals.*

Bill to provide for the Nationalisation of Railways and Canals. Mr. William Thorne, H.C., 1R., 5th March.

### 19.—*Pawning Tools.*

Bill to amend the law relating to the pawning of tools, instruments or appliances used in connection with any trade or handicraft. Mr. Tyson Wilson, H.C., 1R., 24th April.

### 20.—*Rag Flock Act.*

Regulations under the Rag Flock Act. H.C., 13th June. Q., Lord Alexander Thynne.

### 21.—*Railway Service.*

Bill to amend the Railways Regulation Act. Mr. Morton, H.C., 1R., 29th Feb. (See also under No. 11, *Hours of Work.*)

## 22.—*Shops Act.*

Position of boot repairing shops under the Shops Act. H.C., 20th May. Q., Mr. Jowett.

Enforcement of the Shops Act. H.C., 20th May. Q., Mr. O'Grady.

Bill to consolidate the Shops Regulation Acts, 1892-1911. Lord Ashby St. Ledgers, H.L., 1R., 21st Feb.; 2R., 28th Feb.; referred to a Joint Committee, 14th March; Committee and 3R., 26th March. H.C., 1R., 26th March; 2R., Committee, Report and 3R., 27th March. Royal Assent, 29th March.

Bill to amend the Shops Act, 1912, in its application to premises for the sale of refreshments. Sir William Bull, H.C., 1R., 18th June; 2R., 10th July.

## 23.—*Street Traders.*

Bill to make provision for the licensing and registration of street traders. Mr. Harmood-Banner, H.C., 1R., 14th March.

## 24.—*Trade Boards.*

Rates fixed by boards (cardboard box). H.C., 4th March. Q., Mr. Cooper.

Proposed extension of Trade Boards Act (laundry trade). H.C., 11th June. Q., Mr. Snowden.

Rates fixed by Tailoring Board. H.C., 11th June. Q., Mr. Morrell.

Proposed extension of Trade Boards Act (shirt-making). H.C. Qs., 10th July, Major Anstruther-Gray; 15th July, Mr. Barnes.

Application of Trade Boards Act in Ireland. H.C., 22nd July, Q., Sir John Jardine.

## 25.—*Trade Unions.*

Bill to amend the law relating to trade unions. Mr. Johnson, H.C., 1R., 19th Feb.

Bill to explain and amend the law relating to trade unions and trade disputes. Lord Claud Hamilton, H.C., 1R., 20th Feb.

Bill to amend the provisions of the Trade Union Act Amendment Act, 1876, in relation to the amalgamation of trade unions. Mr. O'Grady, H.C., 1R., 25th April.

Bill to amend the law with respect to the objects and powers of trade unions. Mr. Attorney-General, H.C., 1R., 9th May; 2R., 6th Aug.

## 26.—*Unemployment.*

Bill to make provision for work or maintenance being given to the unemployed. Mr. Enoch Edwards, H.C., 1R., 19th Feb.

Bill to establish a Minister of Labour to make provision for the prevention and treatment of unemployment. Mr. Robert Harcourt, H.C., 1R., 21st Feb.

## 27.—*Weekly Rest Day.*

Bill to secure one day's rest in seven for all people; to make the first day of May a Bank Holiday throughout the United Kingdom; to secure a week's holiday for workpeople; and to secure payment of wages for public holidays. Mr. Lansbury, H.C., 1R., 29th Feb.

Bill to facilitate the grant to members of the Constabulary in Scotland of one day's rest off duty in every seven. Mr. Remnant, H.C., 1R., 26th Feb.; 2R., 11th April.

28.—*Workmen's Compensation.*

Bill to amend the Workmen's Compensation Act, 1906. Mr. Hodge, H.C., 1R., 23rd April.

Bill to bring share fishermen within the scope of the Workmen's Compensation Act, 1906. Sir George Doughty, H.C., 1R., 23rd April.

## VI. Italy\*

(23rd Legislative Period. 1st Session, 1909–1912. Continuation from February to December, 1912.)

1.—*Workmen's Accident Insurance.*

C. d. D. 17th Dec. Government Bill respecting the Sicilian compulsory association for mutual insurance against industrial accidents in the sulphur mines (No. 1284).

2.—*Workmen's Accident Insurance Fund.* (E.B. VI., p. 360, No. 3.)

C. d. D. 2nd March. Report of the Commission on the Government Bill to sanction the agreement concluded on 16th June, 1911, with the institutions forming the National Industrial Accidents Insurance Fund (No. 949A).  
—9th March. Debate. Adopted (No. 17792).

Sen. 11th March. Bill introduced (No. 731). Report of the Central Office (No. 731A).—25th March. Adopted (p. 7660).

3.—*Contracts of Work.*

C. d. D. 12th Dec. Bill respecting contracts of work of employees in private business and commercial occupations (No. 1264).

4.—*Railway Employees.*

C. d. D. 17th Dec. Government Bill respecting provident institutions and other arrangements for the benefit of the staffs of State railways (No. 1283).

5.—*Technical Instruction.*

C. d. D. 23rd June. Debate on, and consideration by clauses of, the Government Bill respecting technical instruction. Adopted (p. 21568).

6.—*Employment of Women and Children.*

C. d. D. Report of the Commission on the Bill to extend the term fixed in §2 of the Act respecting the employment of women and children. This Bill was withdrawn by the Bill respecting the educational requirements of children for admission to work in industrial occupations (see No. 8). (No. 1171A).—23rd June. Adopted (p. 21557).

Sen. 24th June. Bill introduced (No. 903). Report of the Central Office (No. 903A).—30th June. Adopted (p. 6).

7.—*Social Insurance.* (Emigrants and Immigrants.)

C. d. D. 17th May. Government Bill introduced respecting the Social Insurance of Italians emigrating abroad and of foreigners settled in the Kingdom (No. 1149, B.d.U.d.L. XVIII., p. 336).—6th June. Report of the Commission (No. 1149A.; B.d.U.d.L. XVIII., p. 342).

\* C. d. D. = Camera dei Deputati. Sen. = Senato. B. d. U. d. L. = Bollettino dell' Ufficio del Lavoro.

### 8.—*Education.*

C. d. D. 3rd June. Government Bill respecting the educational requirements of children for admission to work in industrial occupations (Nos. 1171 and 1171A).

### 9.—*Insurance Monopoly.* (E.B. VI., p. 360, No. 5.)

C. d. D. 27th, 28th, 29th Feb., 1st March. Continuation of Debate on the Bill respecting the management of life insurance business by a National Insurance Institution (No. 881; Debates, pp. 17286, 17335, 17389, 17439).  
—2nd March. Adopted (17509).

Sen. 26th, 27th March. Debate. (Nos. 713, 713A; Debates, pp. 7667, 7692).

## VII. The Netherlands\*

(Session 1911-1912: January to August, 1912.)

### 1.—*Old Age Pensions.*

Motion by Troelstra respecting the provisional introduction of old age insurance in pursuance of clause 357 of the Government Bill respecting invalidity and old age insurance.—Debate on the question of whether this motion should be placed upon the orders of the day. Handel., II. K., Session 1911-1912, pp. 1664-1668, 2143-2148, 2229-2234.

### 2.—*Workmen in the Royal Dockyard in Amsterdam.*

Question of Passtoors respecting the dismissal of several workmen from the Dockyard. App., Session 1911-1912, p. 65.

### 3.—*Workmen in State Workshops.*

Question of Roodhuizen respecting increases in wages for some classes of these workers. App., Session 1911-1912, p. 21.

### 4.—*Labour Legislation.*

Bill for the protection of stonemasons.—Debate in I. K., and Adoption. Handel., I. K., Session 1911-1912, pp. 50-56.

### 5.—*Labour Act.*

Bill to amend the Labour Act.—Debate and adoption in I. K., Handel., I. K., Session 1911-1912, pp. 15-33, 36-50.

### 6.—*Bakehouses.*

Bill to restrict night and Sunday work in bakehouses, and the daily hours of work of bakers.—Debate in II. K.; rejected by 49 to 42 votes. Handel., II. K., Session 1911-1912, pp. 2240-2335.

Motion of Aalberse and others, respecting the restriction of night and Sunday work in bakehouses.—II. K., Session 1911-1912, App. 299, Nos. 1-3.

### 7.—*Railway Employees.*

Bill respecting the right to pensions of railway employees. II. K., Session 1911-1912, App. 235, Nos. 1-9.—Debate in II. K. and adoption. Handel., II. K., pp. 3086-3094.

I.K. = First Chamber. II. K. = Second Chamber. Handel. = Handelingen van de Staten-Generaal (Shorthand Reports). App. = Appendix to the Handelingen.

### 8.—*Sickness Insurance.*

Bills to regulate the sickness insurance of workers and to establish Labour Councils. Report of, and amendments proposed by, the Commission. II. K., Session 1911-1912, App. 56, Nos. 1-47.—General Debate. Handel., II. K., pp. 2366-2385, 2405-2451, 2471-2564, 2570-2590, 2604-2623.—Debate and adoption (by 54 votes to 41) of the Bill respecting Labour Councils. Handel., II. K., Session 1911-1912, pp. 2624-2645, 2756-2787, 2794-2842, 2860-2970, 2974-3001, 3120-3121.

### 9.—*Loading and Unloading of Sea Ships.*

Bill containing provisions in the interests of workers in loading and unloading sea ships.—Government Memorandum and further publications. II. K., Session 1911-1912, App. 58, Nos. 1-7.

### 10.—*Housing Act.*

A Bill to amend the Housing Act was introduced in II. K. on 13th Feb., 1912. II. K., Session 1911-1912, App. 230, Nos. 1-4.

## VIII. Spain\*

(January to June, 1912, and completion of 1910 and 1911.)

### 1.—*Old Age Pensions.*

Government Bill to grant old age pensions to workmen employed in the service of the Ministry of War.

Con. 17th Jan., 1912. Bill introduced (Nos. 67, 36, B.R.S. IX., 81).

### 2.—*Cheap Dwellings.*

Government Bill respecting cheap dwellings. (G.B. IX., p. 492, No. 3; E.B. VI., p. 328, No. 2).

Sen. 22nd May, 1911. Bill adopted by Congress introduced in the Senate (No. 40, 2).—1st June, 1911. Report of the Commission (No. 47, 10). Amendment moved by Rodriguez San Tedro (No. 50, 10).—6th June, 1911. Final Vote (No. 52, 11).—7th June, 1911. Report of the mixed Commission (No. 52, 15).

Con. 7th June, 1911. Bill introduced as adopted by the Senate with amendments (No. 53, 9). Report of the mixed Commission (No. 53, 10).—8th June, 1911. Final Vote. (No. 35, 2; B.R.S. VIII., 101.)

### 3.—*Night-Work of Women.*

Government Bill to prohibit the night-work of women in industrial occupations (G.B. IX., p. 492, No. 4; E.B. VI., p. 328, No. 3.)

Sen. 8th May, 1912. Amendments moved by Rosell and Monegal Bosch y Puig (No. 110, 2).—9th, 11th May. Debate on the Report of the Commission. Consideration by clauses (No. 111, 112).—13th May. Final Vote (No. 113, 1).—1st June. Report of the mixed Commission (No. 128, 8)

Con. 10th June. Debate on the Report of the Commission (Extracto oficial, No. 135).—11th June. Adopted (Extracto oficial, No. 136).

\* Con. = Congreso de Diputados Sen. = Senado. The numbers refer to the numbers and appendices of the "Diario de las Sesiones de Cortes." B.R.S. = Boletín del Instituto de Reformas Sociales.

#### 4.—*Industrial Courts.*

Government Bill to amend the Act relating to Industrial Courts, dated 19th May, 1908 (G.B. IX., p. 492, No. 5 ; E.B. VI., p. 328, No. 4).

16th Jan., 1912. Bill introduced (Nos. 16, 28 ; B.R.S. IX., 216).—18th Jan. Bill withdrawn.

#### 5.—*Chambers of Commerce.*

Government Bill to reorganise the Chambers of Commerce (E.B. VI., p. 328, No. 5).

Con. 5th June, 1911. Report (No. 51, 7).—6th June. Adopted (No. 52, 2.)

Sen. 10th June, 1911. Report (No. 5, 3 ; B.R.S. IX., 219).

#### 6.—*Contracts of Apprenticeship.*

Government Bill respecting contracts of apprenticeship (G.B. IX., p. 492, No. 6 ; E.B. VI., p. 328, No. 6).

Sen. 23rd May, 1911. Report of the Commission (No. 41, 4).—30th May, 1911. Amendment moved by Aldecoa (No. 45, 7).—31st May, 1911. Final Vote (No. 48, 2).—21st June, 1911. Report of the mixed Commission (No. 64, 7 ; B.R.S. IX., 218).

#### 7.—*Maximum Working Day.*

Government Bill respecting the maximum working day for miners (G.B. IX., p. 492, No. 7).

Sen. 14th Dec., 1910. Adopted (B.R.S. VIII., 404).

#### 8.—*Seats for Women.*

Government Bill requiring seats to be provided for women employed in shops, warehouses and offices (E.B. VI., p. 328, No. 7).

Sen. 24th May, 1911. Report of the Commission (No. 42, 10).—27th May. Bill adopted by Congress introduced (No. 43, 4 ; B.R.S. IX., 218).

## IX. Sweden\*

(January to June, 1912.)

#### 1.—*Old Age Insurance.*

Motion to reserve one part of the income arising from the grain duties in a fund to meet the future cost of general old age insurance. Rejected. (Motion 1. K., No. 8 ; Com. 6 : 1 : 16 ; Rep. I., Com. II. : 17 : 43 ; 2. K., II. : 19 : 63.)

#### 2.—*Labour Legislation.*

(a) Government motion to devote a sum of 4,000kr. to the permanent exhibition of labour protective appliances in Stockholm. Adopted. (Government motion 1 : 7 : 370 ; Com. 6 : 1 : 7 : 86 ; P. 7 ; Rep. I., Com. II. : 21 : 38 ; 2. K., III. : 24 : 51.)

(b) Government motion respecting labour legislation. Adopted. (Government motion 104 ; Motion 1. K. No. 104 ; 2. K., Nos. 300-302, 305-6 ; Com. 11 : 1 : 1 ; P. 171 : 14 ; Rep., 1. K., IV. : 36 : 16 ; 2. K., V. : 46 : 26.)

\* 1. K. = First Chamber ; 2. K. = Second Chamber ; P. = Parliamentary Publications ; Rep. = Parliamentary Reports ; Com. = Commission's Report.

### 3.—*Workmen's Insurance.*

Government motion to devote 2,600,000kr. to the Workmen's Insurance Fund. Adopted. (Government motion 1; Com. 6: 1: 135: 20; p. 272: 20; Rep., 1. K., IV.: 42: 69; 2. K., VI.: 55: 40.)

### 4.—*Strikes and Lock-outs.*

Government and other motions to amend the Penal Code, Chapter 15, §§22 and 24. Rejected. (Government motion 224; Motion 1. K. No. 111; 2. K. No. 326; Com. 9: 66; P. 231; Rep., 1. K., IV.: 40: 79; 41: 1; 2. K., VI., 52: 73; 53: 1.)

### 5.—*Trade Disputes.*

Motion to prohibit the use of the military against peaceful workers in trade disputes. Rejected. (Motion 2. K. No. 249; Com. 13: 4: 9; 12: 1: 22; Rep., 1. K., IV.: 42: 25; 2. K., V.: 44: 39.)

### 6.—*Unemployment.*

(a) Motion respecting an inquiry into the giving out of public works in times of unemployment. Adopted. (Motion 1. K. No. 89; 2. K. No. 250; Com. 13: 4: 7; 12: 2: 17; 12: 2: 20; P. 262; Rep., 1. K., IV.: 40: 3, 17; 2. K., V.: 43: 61.)

(b) Motion respecting an inquiry into the maintenance of unemployed seamen. Adopted. (Motion 1. K. No. 88; 2. K. No. 251; Com. 12: 2: 11; 13: 4: 5; 12: 2: 13; 13: 4: 12; P. 170; Rep., 1. K., III.: 29: 9, 61; 2. K., IV.: 31: 18; V., 47: 16.)

### 7.—*Employment Bureaux.*

(a) Government motion to devote 40,000kr. to the public employment bureaux for the year 1913. Adopted. (Government motion 1: 6: 116; Com. 6: 1: 6: 55; P. 6; Rep., 1. K., II.: 17: 43; 2. K., II.: 19: 57.)

(b) Motion to devote a sum not exceeding 10,000kr. to the travelling expenses of indigent persons seeking work. Adopted. (Motion 2. K. No. 73; Com. 6: 1: 6: 56; P. 6; Rep., 1. K., II.: 17: 43; 2. K., II.: 19: 57.)

### 8.—*Hours of Work.*

(a) Motion to limit the hours of work of the staff of bathing establishments and employees in barbers' and hairdressers' saloons, and respecting the closing of these saloons on holidays. Rejected. (Motion 1. K. No. 52; 2. K. No. 141, 218; Com. 11: 1: 4; Rep., 1. K., IV.: 40: 22; 2. K., VI.: 51: 31.)

(b) Motion respecting an investigation into hours and conditions of work in inns, hotels and cafés. Rejected. (Motion 2. K. No. 217; Com. 11: 1: 6; Rep., 1. K., IV.: 40: 31; 2. K., VI.: 51: 38.)

(c) Motion respecting Swedish initiative in the matter of an international agreement to prohibit the night-work of men in certain occupations. Rejected. (Motion 2. K. No. 315; Com. 11: 1: 5; Rep., 1. K., IV.: 40: 26; 2. K., VI.: 51: 34.)

### 9.—*Conciliation.*

(a) 25,000kr. allowed as fees for conciliators in trade disputes. (Government motion 1: 6: 116; Com. 6: 1: 6: 55; P. 6; Rep., 1. K., II.: 17: 43; 2. K., II.: 19: 57.)

(b) Government motion to amend §13 of the Act respecting conciliation. Adopted. (Government motion 231; Com. 11: 2: 2; P. 135: 15; Rep., 1. K., IV.: 36: 101; 2. K., V.: 47: 101.)



(c) Motion respecting rules for negotiations between certain State authorities and their workers. Rejected. (Motion 2. K. No. 227; Com. 13 : 4 : 8; 12 : 1 : 24; Rep., 1. K., IV. : 42 : 57; 2. K., V. : 44 : 1.)

#### 10.—*Insurance of Fishermen.*

Motion respecting the insurance of fishermen against death from causes other than accidents. Rejected. (Motion 2. K. No. 85; Com. 6 : 1 : 6 : 53; Rep., 1. K., II. : 17 : 43; 2. K., II. : 19 : 56.)

#### 11.—*Employment of Women.*

(a) Government motion to amend §2 of the Act respecting the night-work of women. Adopted. (Government motion 231; Com. 11 : 2 : 2; P. 135; Rep., 1. K., IV. : 36 : 101; 2. K., V. : 47 : 101.)

(b) Motion respecting other amendments to the same Act. Rejected. (Motion 2. K. No. 216; Com. 11 : 1 : 2; Rep. 1. K. IV : 39 : 66; 2. K. VI. : 53 : 84.)

#### 12.—*Industrial Inspection.*

In the regular Budget, 77,200kr. allowed for expenditure and, in addition, 85,600kr. for 1913. (Government motion 239; Motion 2. K. 320, 324; Com. 11 : 1 : 7; 11 : 1 : 11; P. 6 : 16; 258; Rep., 1. K., IV. : 40 : 34; 41 : 62; 42 : 2; 2. K., VI. : 51 : 38; 54 : 1, 77.)

#### 13.—*Sick Funds.*

Government motion to devote 1,256,800kr. to the registered sick funds. Adopted. (Government motion 1 : 6 : 32; Com. 6 : 1 : 122; P. 6; Rep., 1. K., IV. : 41 : 51; 2. K., VI. : 51 : 89.)

#### 14.—*Maternity Benefits.*

Government motion to devote 25,000kr. to sick funds which grant maternity benefit. Adopted. (Government motion 240; Motion 1. K. No. 115; Com. 11 : 1 : 9; P. 257 : 18; Rep., 1. K., IV. : 40 : 38; 2. K., VI. : 52 : 5.)

#### 15.—*State Department for Social Affairs.*

In the regular Budget, 123,900kr. allowed for expenditure, and, in addition, 47,000kr. for 1913. (Government motion 108; Motion 1. K. No. 105, 2. K. No. 304; Com. 11 : 2 : 1; P. 6 : 13; 131; Rep., 1. K., III. : 34 : 50; 2. K., IV. : 40 : 1.)

#### 16.—*State Insurance Office.*

(a) 154,000kr. allowed for expenditure in 1913. (Government motion 1 : 6 : 108; Com. 6 : 1 : 6 : 53; P. 6; Rep., 1. K., II. : 17 : 43; 2. K., II. : 19 : 56.)

(b) 20,000kr. devoted to the Post Office Savings Bank for expenditure on account of the State Insurance Office. (Government motion 1 : 6 : 113; Com. 6 : 1 : 6 : 53; P. 6; Rep., 1. K., II. : 17 : 43; 2. K., II. : 19 : 56.)

#### 17.—*Improvement Societies.*

Motion respecting exemptions from taxes for improvement societies. Rejected. (Motion 2. K. No. 146; Com. 7 : 1 : 26, 38; Rep. III. : 33 : 82; 34 : 1; IV. : 35 : 78; 2. K., V. : 42 : 28, 45 : 2.)

#### 18.—*Housing.*

Motion respecting an investigation into the housing condition of the Nörrland fishing population. Adopted. (Motion 2. K. No. 53; Com. 10 : 18; p. 120 : 142; Rep., 1. K., I. : 13 : 16; 2. K., II. : 14 : 56.)

## X. Switzerland\*

(Swiss Federal Assembly. Regular Summer Session. 3rd Session of the XXII<sup>nd</sup> official period. 3rd-22nd June and 9th-17th July, 1912; Ordinary Winter Session, 4th Session of the XXII<sup>nd</sup> official period. 2nd-20th December, 1912.)

1.—*Old Age and Invalidity Insurance.*

2nd Dec. Motion of R. Weber (St. Gall) and others: "That the Federal Council be invited to examine and report on the question of whether a federal system of old age and invalidity insurance should not be established, and, if so, whether Cantonal systems of old age and invalidity insurance should be subsidised by the Confederation."

2.—*Hours of Work of Railway Servants.*

21st June, 1912. N.R. Motion of Studer (Winterthur) and others: "That the Federal Council be invited to prepare an amendment of the Federal Act of 19th Dec., 1902, respecting hours of work in railway undertakings, and other transport establishments, and of the Orders in pursuance of the same, and to submit to the Councils a report and motion supporting their proposals."

3.—*Federal Department for Social Insurance.*

29th Oct., 1912. Message and draft resolutions (Bundesbl., 1912, IV., 501), respecting the establishment of a Federal Department for Social Insurance. S.R. 13th Dec., 1912: Resolution according to the draft of the Federal Council.

N.R. 19th Dec., 1912. Approved.

4.—*Military Insurance.*

12th Dec., 1912. Message and draft resolution (Bundesbl. 1912, V., 149), respecting the amendment of the Federal Act relating to the insurance of military persons against sickness and accidents.

5.—*Sunday Rest in Railway Construction Works.*

13th Dec., 1912. S.R. Interpellation by Winiger and others: "In view of the circular to the Cantonal Governments of 16th Aug., 1912, the undersigned wish to receive an explanation of the views and intentions of the Federal Council respecting the granting of Sunday rest in railway construction works."

S.R., 20th Dec., 1912. The interpellation was declared answered by the declarations of the Federal Council.

6.—*Sunday Rest for the Post Office Staff.*

17th Dec., 1912. N.R. Motion of Zurburg and others: "That the Federal Council be invited to examine and report on the question whether, with a view to permitting the Sunday and holiday rest of Postal officials and employees, special stamps should not be introduced rendering it possible to exclude from sorting and delivery on Sundays and holidays, postal matter declared to be not urgent."

7.—*Housing.*

3rd June, 1912. N.R. Motion of Riklin and others, to replace the motion of 29th Sept., 1911: "That Federal Council is invited to examine, report on, and introduce motions concerning, the question of whether an article should not be added to the Constitution authorising the Federation to issue regulations for the prevention, as well as the removal of, housing conditions injurious to health, contrary to building regulations and endangering morality."

### III. SUMMARY OF RESOLUTIONS OF CONGRESSES OF ASSOCIATIONS, AND MEMORIALS CONCERNING LABOUR LEGISLATION

#### I. LABOUR LEGISLATION AND INSURANCE OF GENERAL APPLICATION.

##### 1.—*International Association for Labour Legislation.*

(a) VIIth Delegates' Meeting, Zurich, 10th–12th Sept., 1912.

The text of the resolutions is appended as a supplement to Nos. 8, 9, 10 of the *Bulletin*. [See also the Report of the Proceedings (Publications of the International Association for Labour Legislation, No. 8); P. S. King & Son, London, 1913.]

(b) Petition of the Bureau and the Sections respecting official statistics of the Administration of Labour Laws. 25th Oct., 1912.

##### 2.—*Eighth Scandinavian Labour Congress.* Stockholm, 2nd–5th Sept., 1912 (Correspondenzblatt der Generalkommission der Gewerkschaften Deutschlands, XXII., p. 574.)

Organisation of relief for the unemployed; protection of foreign workers; abolition of industrial home-work; legal eight-hour day.

##### 3.—*Central League of German Manufacturers* (Zentralverband deutscher Industrieller). Petition of 1st July, 1911. (Proceedings, Communications and Reports of the Central League of German Manufacturers, No. 123, pp. 7 and 16.)

§241 of the draft of a new Penal Code to read as follows:—"Any person who by threats of a dangerous nature interferes with the peace of any other person, shall be punishable by imprisonment or detention for a term not exceeding one year, or by a fine not exceeding 1,000 marks.

Any person who undertakes to watch systematically employers, workers, workplaces, roads, streets, railway stations, waterways, harbours, or other traffic stations, shall, *inter alia*, be held guilty of threatening in a dangerous manner within the meaning of the first paragraph."

##### 4.—*Eighth Congress of the Christian Trade Unions of Germany* (Achter Kongress der christlichen Gewerkschaften Deutschlands). Dresden, 6th–10th October, 1912. (*Sociale Praxis* XXII., p. 60.)

Development or introduction of trade union benefits for unemployment; better protection of national labour against the present unlimited and unfair competition of cheap foreign labour. Employment bureaux to be regulated by imperial legislation. Public Labour Exchanges to be recommended. The labour organisations should be allowed due influence. Labour Exchanges under joint management of employers and workers should, where possible, be attached to public information bureaux of general utility. No compulsion in providing work should be allowed. Unemployment insurance on a trade basis to be introduced by imperial legislation. Monopoly collective agreements to be condemned. Amendment of the Employment Agents Act. Support of a proposal made by the Trade Union of Women Home Workers: since it is difficult to introduce unemployment insurance for persons employed in home industries by the method of self-help, the Congress urges all State and Communal Authorities, in agreement with the resolution adopted unanimously in the *Reichstag* on the passage of the Home Work Act, to give suitable orders direct to the organisations of home workers with a long period for delivery.

- 5.—*Ninth National Congress of the Socialist Labour Party.* Madrid, 24th–25th Sept., 1912. (Boletín del Instituto de Reformas Sociales IX., 359.)

Eight hour day; Prohibition of the employment of women in unhealthy processes; labour inspection through the agency of the Workmen's Unions; introduction of an Act respecting insurance against industrial accidents, sickness, invalidity, old age and unemployment; working-class dwellings; child labour laws.

- 6.—*Second Congress of the Austrian Christian Trade Unions.* Vienna, 29th June/1st July, 1911. (Kongress der christlichen Gewerkschaften Österreichs; Protokoll über die Verhandlungen, p. 94.)

Prompt introduction of social insurance.

- 7.—*Trades and Labour Congress of Canada.* 27th Annual Meeting, Calgary Alta, Sept., 1911. (The Dominion of Canada Labour Gazette XII., 777.)

Memorial to the Government of Quebec:—Indemnity to be paid from the first day after the accident in the case of temporary incapacity lasting longer than seven days. Increase of indemnity in case of death from \$2,000 to \$3,000. Medical expenses occasioned by accident, together with funeral expenses, to be paid in all cases by the employer. Provision for children until the age of 20 years (instead of 16); basis of indemnity, \$800; monthly payment; Superior Court to deal with all appeals; application of the law to labourers in the lumber industry. Indemnities payable from the date of the accident where the injuries are permanent.

Memorial to the Government of Ontario:—Eight hour day; minimum wage, eight-hour shift, uniform system of sanitary legislation; abolition of barber colleges; protection of health in mining and lumber camps; barring of Orientals; amendment to the Factories Act; avoidance of obnoxious gases; increase in number of factory inspectors; safety appliances to be provided for high-tension electric power linemen; repeal of laws providing for the eviction of tenants and for distraining for arrears in rent; co-operative system of technical education for apprentices; insertion of fair wage clause in all provincial contracts.

Memorial to the Government of Manitoba:—Establishment of a labour bureau and of a Government operated bureau under the Department of Public Works; Factory Acts to be amended so as to include Chinese laundries; enactment of a Shops Act similar to that of Ontario; safety appliances for street railways and the erection of buildings; prohibition of the employment of white females in Oriental restaurants.

- 8.—*Sixth Swedish Trade Unions Congress.* Stockholm, 6th–12th Sept., 1912. (Correspondenzblatt der Generalkommission der Gewerkschaften Deutschlands XXII., p. 631.)

Legal determination of a minimum wage for industrial workers; legal eight-hour day.

- 9.—*Party Meeting of the Australian Labour Party.* Feb., 1912, in Brisbane.

A white Australia; closer union between the States and insertion in the Constitution of Commonwealth powers to legislate on industrial matters; enforcement of the Excise Tariff laws; amendment of the Arbitration Act; insurance.

- 10.—*Trades and Labour Congress of Canada.* Twenty-eighth Annual Convention, Guelph, Ontario, 9th–14th Sept., 1912. (The Dominion of Canada Labour Gazette XIII., p. 351.)

Interchangeable membership cards; amendment of the law relating to payment of wages by cheque; general introduction of an eight-hour day; higher penalties for illegal employment of children; investigation of railway accidents and responsibility of directors; weekly payment of wages for workmen employed on Government works; wages and conditions in tailors' workshops; increase of wages and an eight-hour day for letter-carriers; establishment of a Bureau of Labour Statistics for Quebec; sanitary regulations for barbers' shops; bi-monthly payment of wages to railway employees; safeguards and sanitary conveniences for stage employees; protection of workers in the cement industry, in loading vessels, and in brass-polishing; eight-hour day in building trades; free speech.

free assemblage, and a free Press; prohibition of blacklisting; engine and boiler inspection; frequent inspections of factories; wages and hours of labour for structural iron-workers; publication of reports on statistics of labour organisations and the prices of commodities in Canada; protection of street railway employees; eight-hour day in continuous processes; payment of wages in Government works; modification of rules governing machinists on Government dredges; regulations demanded for electrical works; prohibition of the employment of white girls by Orientals.

II.—*Canadian Federation of Labour*. Fourth Annual Convention, Three Rivers, Quebec, 11th–13th Sept., 1912. (The Dominion of Canada Labour Gazette XIII., p. 365.)

Amendment of the Act of 1909, respecting accidents; engineers' certificates of competence; eight-hour day on all Government works; 55 hours a week employment of women and children in all industries.

## II. LABOUR LEGISLATION FOR PARTICULAR TRADES.

### 1.—Agriculture and Horticulture.

*Tenth General Meeting of the General German Gardeners' Association* (Zehnte Generalversammlung des Allgemeinen Deutschen Gartnervereins). Berlin, 9th–13th Sept., 1912. (Correspondenzblatt der Generalkommission der Gewerkschaften Deutschlands XXII., 576.)

Legal regulation of employment bureaux; extension to horticultural undertakings of the regulations applicable to handicrafts and factories, respecting the supervision of the training of apprentices; reduction of hours of work; abolition of compulsory living-in; increased wages.

### 2.—Mines, Smelting Works and Salt Works.

*Society for Social Reform and other Associations* (Gesellschaft für Soziale Reform und andere Verände). Petition to the Federal Council and the Reichstag respecting the legal regulation of hours of work and breaks in the iron industry. Nov., 1912.

Extension of the Federal Council's Order of 19th December, 1908 (Text E.B. III., p. 333), in the sense that:—

(1) Workers in the iron industry shall be assured an uninterrupted rest of at least 10 hours in every four-and-twenty hours;

(2) The prescribed breaks, amounting altogether to two hours in a shift, shall be so regulated that a break of one hour shall fall between 11 and 1 o'clock, and that the remaining breaks of half an hour each shall fall between 8 and 9 and between 3.30 and 4.30 o'clock.

(3) Any incidental interruptions of work shall not be reckoned as part of the total duration of the breaks.

(4) A provision should be included in the Order prohibiting the maximum amount of overtime permitted in exceptional circumstances from exceeding six hours a week.

(5) Exceptions to the provisions should be allowed only in urgent cases, and provided that notice is given immediately to the industrial inspector.

(6) Assistants of working-class origin should be appointed to co-operate with the industrial inspectors, with a view to the more effective enforcement of the Order.

### 3.—Stone and Earth Industries.

*Central Association of the Glass Workers of Germany* (Zentralverband der Glasarbeiter und Arbeiterinnen Deutschlands). Petition (a) to the Federal Council; (b) to the Reichstag, 15th Nov., 1912.

Extension and amendment of the Order of the Federal Council for the protection of men and women employed in the glass industry.

### 4.—Chemical Industry.

*International Association for Labour Legislation*. Petition of the Bureau and the Sections respecting the handling of ferrosilicon. 25th Oct., 1912.

## 5.—Leather Industry.

*Fifth Ordinary Congress of Upholsterers and Workers in Allied Trades* (Fünfter ordentlicher Verbandstag der Tapezierer und verwandter Berufsgenossen). Cologne, 22nd–25th July, 1912. (Correspondenzblatt der Generalkommission der Gewerkschaften Deutschlands XXII., 462.)

(1) Abolition of all unhealthy workplaces, especially underground workplaces ; (2) The workplaces must be adequately large, light and airy. Air space of at least 15 cubic metres and floor space of 5 square metres should be allowed for each person employed. Provision should be made for adequate ventilation. (3) In every workplace adequate lavatory accommodation should be provided. Spittoons should be provided and kept clean. (4) The workplaces should be washed daily by a wet process. The coating of the walls should be frequently renewed. (5) The preparation of stuffing materials in the workshop should be strictly prohibited. Picking should be carried on in a special room easily ventilated, with adequate means for drawing off the dust ; in addition, as far as possible, mechanical exhaust apparatus should be fitted up for drawing off the dust. (6) Old stuffing materials, especially horsehair, should be disinfected before re-use.

## 6.—Wood and Carving Industries.

*Ninth Ordinary Congress of the German Woodworkers' Federation* (Neunter ordentlicher Verbandstag des Deutschen Holzarbeiter-Verbandes). Berlin, 23rd–29th June, 1912. (Verlagsanstalt des Deutschen Holzarbeiterverbandes.)

Regulation of hours of work (not more than nine hours a day) ; employment bureaux (under joint management of employers and employed, and compulsory use of the bureaux).

## 7.—Preparation of Food, Etc.

*Fifth National Congress of the Madrid Bakers' Association*. (Boletín del Instituto de Reformas Sociales IX., 159.)

Administration of the law respecting Sunday rest and the employment of young persons ; introduction of an Act to prohibit night-work in bakehouses.

## 8.—Clothing and Cleaning Industries.

*General Congress of Hairdressers' Assistants* (Allgemeiner Friseurgehilfenkongress). Berlin, 28th May, 1912. (Soziale Praxis XXI., No. 37, col. 1166.)

Enforcement of adequate minimum wages ; reduction of working hours ; work not to begin before 7 o'clock a.m., nor end after 8 o'clock p.m. ; Saturdays not after 9 o'clock p.m. At least one hour's midday rest. Prohibition of employment on Sundays and holidays falling on weekdays, with the exception of the Christmas holidays, provided that another half-holiday is given instead. Abolition of compulsory living-in. All special employment books of the Employers' Corporation to be prohibited. Public legal representation of the assistants' interests by the creation of Labour Councils. Employment bureaux under joint management or controlled by the communes. The abuse of apprenticeship to be checked by allowing only one apprentice to be kept where one assistant is permanently employed, a second apprentice only where at least three assistants are employed, and not more than two apprentices altogether. Extension of the provisions of the Industrial Code to station hairdressers.

## 9.—Building Trade.

*Twenty-sixth Congress of the German Association of Technical Employees* (Sechszwanzigster Verbandstag des Deutschen Technikerverbandes). 24th–26th May, 1912. (Soziale Praxis XXI., No. 36, Sp. 1137.)

Amendment and unification of the law relating to contracts of service ; right of coalition to be guaranteed by law.

## 10.—Polygraphic Industry.

*Twelfth Congress of the Spanish Typographical Association* (XIIth Congreso de la Federación tipográfica española). Valladolid, 18th–21st Nov., 1911. (Boletín del Instituto de Reformas Sociales IX., 188.)

Weekly rest instead of Sunday rest ; abolition of contract work ; regulation of conditions of apprenticeship.

## 11.—Trade and Commerce.

*Eighth General Meeting of the Central Federation of German Commercial Employees* (Achte Generalversammlung des Centralverbandes der Handlungsgehilfen und-Gehilfinnen Deutschlands). Berlin, 5th-7th May, 1912. (Handlungsgehilfen-Zeitung, 16. Jahr., Nr. 10.)

Petition to the Ministry of the Interior, to the effect that draft Bills on social questions which are communicated to the employers should be brought to the notice also at least of those associations of employees which are in communication with the Imperial Office of Statistics. Prohibition of Sunday work in offices. The sale of milk, bread, etc., to be permitted in public places on Sundays in the early morning.

## 12.—Carrying Trade.

(a) *Annual Convention of the National Association of Marine Engineers*. (Ottawa, Jan., 1912; the Dominion of Canada Labour Gazette XII., 824.)

Maximum working day; 12 hours in 24; all steamboats constructed in the engine department in such manner that the water gauges are not visible from the engine-room, or are separated by bulkheads and stairs, to be required to carry a water tender.

(b) *Eighth Congress of the Federation of German Transport Workers* (Achter Verbandstag des Deutschen Transportarbeiterverbandes). Breslau, 9th-16th June, 1912. (Protokoll des Achten Verbandstages, Berlin Verslagsanstalt Couriers, 1912, 232 pp.)

Extension and recognition of the right of coalition and freedom of organisation; In addition: (1) A comprehensive and progressive amendment of the present Imperial and State laws; (2) The removal of the power of the authorities to allow exemptions; (3) Complete extension of the jurisdiction of the industrial courts with trade representatives appointed as assessors; (4) Regulation and reduction of hours of work by the recognition of a normal working day; (5) Prohibition or limitation of work at night and on Sundays and holidays; (6) Improved industrial safety (i.e. a higher degree of protection to life and health by increasing the working strength and the introduction of modern, technical, sanitary and hygienic measures; (7) Introduction and recognition of the State inspection of works by inspectors and assistants appointed from the ranks of the working classes; (8) The prohibition of the present system of living-in, or its reformation on modern lines; (9) Far-reaching protection for women and young persons, giving due consideration to their physical capacity and natural powers; (10) Adequate meal-times to be allowed; shops in general to close at 8 o'clock, and work in offices and workplaces to cease at 7 o'clock; post-offices and railway offices to close at 6 o'clock; (11) Consideration to be paid to the safety of the establishment in engaging workers of foreign speech, and comprehensive measures to be adopted to prevent or restrict industrial diseases of all kinds; (12) The co-operation, with State recognition, of the representatives of organisations in inquiries and investigations into industrial statistics, for the purpose of preparing or reporting on Bills, Decrees and Orders. In addition, special demands for the workers employed in commercial transport and carrying enterprises by water and by land.

(d) *First Congress of the Spanish Union of Railway Workers* (La Union Ferroviaria Española). Madrid, 24th-29th June, 1912. (Wochenbericht der Internationalen Transportarbeiter-Federation, Berlin, H. Jochade.)

Increase of present wages by 30 per cent.; reduction of hours of work; old age pensions of 60-80 per cent., according to the years of service, to fall due at the age of 60; the compilation of promotion lists according to the societies and the nature of the service; promotion after two years.

## 13.—Hotels, Restaurants, Etc.

*Seventh Congress of the Association of German Hotel and Restaurant Employees* (Siebenter Verbandstag Deutscher Gastwirtsgehilfen). Nürnberg, 19th-23rd March, 1912 (Correspondenzblatt der Generalkommission der Gewerkschaften Deutschlands XXII., 224.)

Raising of wages; abolition of the living-in system; substitution of "free places" (freie Station) by cash wages; abolition of voluntary assistance; improved hygienic and sanitary conditions in workrooms; 12-hour working day; 36-hour weekly rest; protection of young persons.

# I. CHRONOLOGICAL INDEX OF LAWS AND ORDERS IN VOL. VII. OF THE ENGLISH EDITION OF THE BULLETIN OF THE INTERNATIONAL LABOUR OFFICE

(An asterisk denotes that the title and reference only is given in the "Bulletin.")

## INTERNATIONAL LABOUR LEGISLATION

1911. Circular of the Swiss Federal Council on the International Convention respecting the prohibition of the use of white (yellow) phosphorous in the manufacture of matches. 17th July, pp. I., 1.  
 Notification of the Swiss Federal Council on the International Convention respecting the prohibition of the use of white (yellow) phosphorous in the manufacture of matches. 20th December, pp. II., 1.

## NATIONAL LABOUR LEGISLATION

### ANTIGUA.

1908. An Ordinance to regulate the payment of the wages of labourers. 25th April, pp. LVII., 262.\*  
 1910. An Ordinance to prohibit the manufacture, sale, and importation of matches made with white phosphorous, and for other purposes in connection there with. 6th August, pp. LI., 262.

### AUSTRALIA : Commonwealth.

1906. The Australian Industries Preservation Act, 1906 (No. 9 of 1906), as amended by the Australian Industries Preservation Act, 1907 (No. 5 of 1908), by the Australian Industries Preservation Act, 1909 (No. 26 of 1909), and by the Australian Industries Preservation Act, 1910 (No. 29 of 1910). p. 327.  
 1908. An Act to amend the Immigration Restriction Acts, 1901-1905. 14th December, pp. LXXIV., 323.\*  
 1909. An Act to grant and apply out of the Consolidated Revenue Fund the sum of £1,000,000 for Invalid and Old Age Pensions. 4th August, pp. CXLV., 323.\*  
 An Act to amend the definition of the word "Income" in the Invalid and Old Age Pensions Act, 1908. 13th December, pp. CXLV., 324.  
 An Act to amend the Australian Industries Preservation Acts, 1906-1907. 13th December, pp. LVII., 324.\*  
 An Act relating to compensation to seamen for injuries suffered in the course of their employment. 13th December, pp. CXLI., 324.\*  
 An Act to amend the Commonwealth Conciliation and Arbitration Act, 1904. 13th December, pp. XCV., 112.  
 1910. An Act to grant and apply out of the Consolidated Revenue Fund a sum for Invalid and Old Age Pensions. 9th August, pp. CXLV., 324.\*  
 An Act to amend the Commonwealth Conciliation and Arbitration Act, 1904. 1909. 29th August, pp. XCV., 114.  
 An Act to amend the Immigration Restriction Act, 1901-1908. 16th September, pp. LXXIV., 324.\*  
 The Immigration Restriction Act, 1901 (No. 17 of 1901), as amended by the Immigration Restriction Act, 1905 (No. 17 of 1905), by the Contract Immigrants Act, 1905 (No. 19 of 1905), by the Immigration Restriction Act, 1908 (No. 25 of 1908), and by the Immigration Restriction Act, 1910 (No. 10 of 1910). pp. LXXIV., 324.\*  
 An Act to amend the Sugar Bounty Act, 1905. 25th October, pp. LIX., 324.  
 Provisional Regulations under the Immigration Restriction Act, 1901-1910. 29th October, pp. LXXIV., 325.\*



- An Act to provide for the payment of bounties on the manufacture of kerosene and paraffin wax from Australian shale. 17th November, pp. LX., 325.
- An Act relating to the emigration from Australia of young persons and aboriginal natives. 25th November, pp. LXXIV., 326.
- An Act to amend the Australian Industries Preservation Act, 1906-1909. 25th November, pp. LIX., 327.\*
- 1911. An Act to amend the Commonwealth Conciliation and Arbitration Act, 1904-1910. 23rd November, pp. XCVI., 117.
- An Act relating to the Commonwealth Court of Conciliation and Arbitration and the Public Service of the Commonwealth. 18th December, pp. XCVI., 334.
- An Act relating to compensation to seamen for injuries suffered in the course of their employment. 18th December, pp. CXLI., 337.\*
- An Act to grant and apply out of the Consolidated Revenue Fund a sum for Invalid and Old Age Pensions. 22nd December, pp. CXLV., 347.

#### *New South Wales.*

- 1896. An Act to make provision for the supervision and regulation of factories, bake houses, laundries, dye-works, and shops; for the limitation in certain cases of the hours of working therein; to extend the liability of employers for injuries suffered by employees in certain cases; and for other purposes. 16th November, p. 181.\*
- 1908. An Act to provide a minimum wage for certain persons; to make better provision in certain cases for the payment of overtime and tea-money; to amend the Factories and Shops Act, 1896; and for purposes consequent thereon and incidental thereto. 24th December, p. 181.
- 1909. An Act to make provision for the supervision and regulation of factories, bake-houses, laundries, dye-works, and shops; for the limitation in certain cases of the hours of working therein; to extend the liability of employers for injuries suffered by employees in certain cases; and for other purposes. (Act 60 Vic., No. 37, as amended by Act No. 29 of 1908, and Act No. 28 of 1909). pp. XIV., 165.
- An Act to amend the Factories and Shops Act of 1896; and for other purposes. 29th December, pp. XIV., 181.
- 1910. Factories and Shops Act (No. 3) 1896, and Factories and Shops (Amendment) Act (No. 28) 1909. Regulations. 24th June, p. 181.\*

#### *Queensland.*

- 1912. An Act to amend the Wages Boards Act of 1908 (No. 30). 9th January, pp. LXXI., 119.

#### *South Australia.*

- 1907. An Act to further amend the Marine Board and Navigation Act, 1881, and for other purposes (No. 917). (Reserved 21st December, 1906; Royal Assent proclaimed). 8th May, 1907, pp. XCI., 347.
- 1908. Regulations under the Factories Act, 1907. 30th September, pp. XVIII., 348.\*
- An Act to regulate the use of passenger and other lifts (No. 949). 11th November, p. 348.\*
- 1909. Regulations under the Lifts Regulation Act, 1908. 24th March, p. 348.\*
- Additional regulations under the Scaffolding Inspection Act, 1907 and 1908. 29th September, pp. CIV., 348.\*
- 1910. An Act to consolidate and amend the laws constituting Public holidays and Bank holidays, and for other purposes (No. 1010). 30th November, pp. XLIX., 348.\*
- An Act giving the Government power to make advances to persons of limited means to provide homes for themselves and for other persons (No. 1018). 7th December, pp. CII., 348.\*
- An Act to further amend the Factories Act, 1907 (No. 1920). 7th December, pp. XVIII., 126.
- An Act to further amend the Act. No. 22 of 1852, entitled "An Act to regulate Friendly Societies," The Manchester Unity of Oddfellows Act, 1874, and the Friendly Societies Act, 1886, and for other purposes (No. 1021). 7th December, pp. CXXX., 348.\*
- 1911. Regulations under the Scaffolding Inspection Act, 1907. 16th February, pp. CIV., 348.\*

*Victoria.*

1909. An Act to increase for one year the total sum appropriated for Old Age Pensions. 2nd March, p. 392.\*  
 An Act to provide for a half-holiday every Saturday in shops in the Metropolitan District. 2nd March, pp. XXI., 392.
1910. An Act to provide for the regulation of coal mines. 4th January, pp. LXXIX., 393.  
 An Act to amend the Factories and Shops Acts. 4th January, pp. XXII., 148.
1911. An Act to further amend the Factories and Shops Acts with regard to apprentices and improvers. 4th January, pp. XXVI., 154.  
 An Act to further amend the Factories and Shops Acts. 4th January, pp. XXVII., 156.

*AUSTRIA-HUNGARY: Austria.*

1911. Notification of the Minister of Finance in regard to hours of work and closing hours of shops in the Tobacco Trade (Tabakverschleiss). 10th June, pp. LXXXV., 19.  
 Decree relating to the requirements to be imposed as regards small dwellings, from an architectural, sanitary, and moral point of view. 21st July, 1911, pp. CI., 349.\*  
 Order of the whole Ministry amending certain provisions of the Order dated 15th October, 1902, in regard to temporary servants employed by Public Authorities, Offices, and Institutes. 27th September, pp. XCII., 21.\*  
 Act amending the Act dated 21st June, 1884, introducing, modifying, and supplementing regulations in regard to the employment of children, women, and girls in mines. 26th December, pp. XXXI., 21.  
 Act in regard to remissions of the taxes on new and additional buildings, as well as in regard to erecting and rebuilding in general, and to buildings for small tenants in particular. 28th December, pp. C., 22.\*  
 Act in regard to remission of taxes and fees concerning Building Societies of public utility. 28th December, pp. C., 22.\*  
 Act in regard to the promotion of housing accommodation by the State. 28th December, pp. C., 22.\*
1912. Notification by which new rules of the Government Fund for the provision of small dwellings are published. 9th February, pp. CI., 349.\*  
 Regulations relating to the granting of redeemable advances bearing interest to public benefit building societies, in accordance with the Act of 28th December, 1911, concerning State assistance in the provision of industrial dwellings. 9th February, pp. CI., 349.\*  
 Regulations relating to the common utility of building societies and the supervision of the same, in accordance with the Act of 28th December, 1911 (R.G.Bl., No. 242), and the Act of 28th December, 1911 (R.G. Bl., No. 243). 9th February, pp. CI., 350.\*  
 Regulations relating to the carrying out of the provisions regarding legal charges of the Act of 28th December, 1911, dealing with allowances on taxes and charges for public benefit building societies. 10th February, 1912, pp. CI., 350.\*  
 Act relating to insurance against accidents in the building trades. 29th April, pp. CXLII., 350.  
 Act relating to the raising of the amount of wages and payments for services, pensions, etc., exempt from seizure. 17th May, pp. LX., 351.  
 Act relating to the amendment of the General Mining Law of 23rd May, 1854, on the regulation of payment of wages in the mining industry. 17th May, pp. LXXVII., 245.  
 Act concerning the use of duplicating apparatus. 7th June, pp. LXXXV., 246.  
 Regulations relating to the carrying on of the occupation of those persons who offer personal services in places other than public places (such as messengers, porters, guides, and so forth). 3rd July, pp. XCI., 352.

*Austria below the Enns.*

1911. Act concerning the decree of a domestic code in regard to domestic servants employed in Vienna. 28th October, pp. XCI., 22.

*Hungary.*

1911. Section V. of the Laws of 1911 relating to the prohibition to manufacture matches, etc., from white or yellow phosphorous. Sanctioned on 16th January, pp. L., 209.

- Section XIX. of the Laws of 1911, respecting the prohibition of the night work of women in industrial undertakings. 14th August, pp. XXXIV., 211.
- Order of the Minister of Commerce relating to the extension of the compulsory accident insurance established in §3 of the Act XIX. of 1907, to Turkish and Montenegrin subjects employed in Hungary. 10th November, pp. CXLIII., 226.
- Administrative Order, in pursuance of Act XIX. of 1911, respecting the prohibition of the night work of women in industrial undertakings. 19th December, pp. XXXV., 215.

#### **BELGIUM.**

1911. Royal Order. Insurance Funds for miners. 28th August, pp. CXLV., 353.\*
- Royal Order. Workshops. Repeal of §§73, 74 and 75 of the Act of 21st April, 1810. 28th August, pp. L., 353.
- Royal Order. Supervision of mines. Shower baths. 28th August, pp. LXXVIII., 354.
- Royal Decree. Provident Funds in favour of workers in mines. Reorganisation. 1st October, pp. CXLV., 355.\*
- Royal Decree. Act of 5th June, 1911. Delegates for the inspection of mines. 13th December, pp. CXLV., 355.
- Royal Decree. General Savings and Pension Fund. Payment, through the ordinary provident funds, of life annuities due to workers in mines by the Pension Fund. 20th December, pp. CXLV., 356.
- Royal Order. Regulations relating to the work of women, young persons, and children engaged in the chocolate and confectionery industry. 20th December, pp. XXXV., 356.
- Royal Order. Regulations relating to the night work of women engaged in the manufacture of artificial silk by the collodion process. 29th December, pp. XXXV., 357.
- Royal Order. Regulations relating to the night-work of women in preserved fish factories. 29th December, pp. XXXV., 358.
1912. Royal Decree. Trade Councils. Procedure of the jury instituted by §30 of the Act of 15th May, 1910. 3rd January, p. 359.\*
- Royal Decree. Trade Councils. Elections. Form of convocation and of voting tickets. Election arrangements. 26th January, p. 359.\*
- Royal Decree. Workshops. Legislation. 31st January, pp. L., 359.
- Ministerial Circular. Elections for the Trade Councils. Instructions to the Governors, Members of the Boards of Aldermen and Presidents of Offices. 13th February, p. 360.\*
- Royal Decree. Trade Councils. Organisation. Application of §§9, 34, 155 and 138 of the Act of 15th May, 1910. 16th February, p. 360.\*
- Royal Decree. Trade Councils. Application of §§17 and 20 of the Act. Fixing the date of the Elections. 16th February, p. 360.\*
- Royal Decree. Trade Councils. Grouping of the communes for voting. 22nd February, p. 360.\*
- Act, in completion of the Act of 5th June, 1911, relating to the Old Age Pensions for the benefit of workers in mines. 5th March, pp. CXLV., 360.
- Act extending the term of office of Members of the Industrial and Labour Councils. 5th March, pp. CII., 361.\*
- Royal Decree. Work on skins and furs. Modification in the classification. 5th March, pp. L., 361.
- Royal Decree. Regulations as to night-work of women in the industry of manufacturing artificial silk by the collodion process. 15th May, pp. XXXV., 361.
- Royal Decree. Regulations for night-work of women in vegetable and fruit preserving factories. 4th June, pp. XXXVI., 361.

#### **CANADA : Saskatchewan.**

1909. An Act for the protection of persons employed in factories. 18th December, pp. XVII., 263.

#### **FRANCE.**

1910. Circular from the Minister of the Interior to the Prefects, referring to the application of the Act of 14th July, 1905, in regard to compulsory help to the aged, sick, and incurable. 6th March, pp. CXLVIII., 362.\*
- Letter from the Minister of Labour to the Keeper of the Seals, Minister of Justice, in regard to the abuse of counter claims made before Trade Councils. 30th March, pp. XCV., 363.\*

- Circular of the Minister of War relating to the granting of a nursing bonus to those female workers employed in military establishments who suckle their children themselves. 29th April, pp. XXXVI., 363.\*
- Circular of the Minister of Agriculture relating to the application of the Act of 12th July, 1909, respecting family property exempt from seizure. 15th June, pp. CI., 363.\*
- Circular of the Minister of Labour, relating to the period within which the wages earned by workmen shall be paid to them. 18th June, pp. LXI., 363.\*
- Opinion from the Council of State according to which §50 of the Act of 21st April, 1810-23rd July, 1907, does not authorise the Administration to regulate the duration of work of certain workers. 22nd June, pp. XLVII., 363.\*
- Order of the Minister of Labour and Friendly Societies, fixing the amount of the grants to be paid to the Relief Funds for the relief of involuntary unemployment, for benefits paid during the course of the second six months of 1909. 25th June, pp. CXLIX., 363.\*
- Decree declaring the Act of 13th July, 1907, relating to the free wages of a married woman, to be applicable in Algeria. 27th June, pp. LXI., 363.\*
- Decree making the provisions of the Act of 27th November, 1909, in regard to work of women after confinement, applicable to Algeria. 28th June, pp. XXXVI., 364.\*
- Decree instituting a National Office for Pensions for Workmen and Peasants. 16th July, pp. CXLVI., 364.
- Decree modifying the Decree of 20th September, 1908, on the organisation of labour on board mercantile ships, as far as fishing vessels are concerned. 4th August, pp. LXXXIX., 364.
- Decree modifying the Decree of 21st September, 1908, in regard to safety of maritime navigation and hygiene on board trading ships, as far as fishing boats are concerned. 4th August, pp. LXXXIX., 365.\*
- Circular of the Minister of Labour relating to truck shops. 10th September, pp. LXI., 365.\*
- Circular of the Minister of Labour, relative to the notification of labour accidents (presentation of medical certificates). 15th October, pp. CXLIII., 365.\*
- Order of the Minister for Foreign Affairs, exempting from the Chancellor's office fee the sums deposited and recovered as contemplated by official agreement annexed to the Franco-British arrangement of 3rd July, 1909. 19th November, pp. CXLIII., 363.\*
- Decree authorising exemptions with respect to the working hours of children under 18 years of age and of women of any age in the work of folding and boxing ribbons. 23rd November, pp. XXXVI., 365.
- Order of the Minister of Labour and Friendly Societies, fixing the amount of the grants to be paid to the relief funds for the relief of involuntary unemployment, for benefits paid during the course of the first six months of 1910. 12th December, pp. CXLIX., 366.\*
- Order of the Minister of Labour and Friendly Societies continuing for the year 1911 the premiums fixed by the Orders of 30th March, 1899, and 28th November, 1906, relating to insurance companies dealing with industrial accidents. 22nd December, pp. CXLIII., 366.\*
- Order of the Minister of Labour and Friendly Societies relating to the minimum table fixed for providing the mathematical reserve of societies insuring against industrial accidents. 22nd December, pp. CXLIII., 366.\*
- Act on the consolidation of the labour laws (Book I. of the Labour Code). 28th December, pp. II., 366.\*
- Decree fixing the rates of compound interest on the capital taken into account in the tariffs according to which the amount of the life pension in favour of the depositors in the National Old Age Pension Fund is calculated. 29th December, p. 366.\*
- Decree confirming a decision of the financial delegations of Algeria, giving exemptions from the stamp and registration dues on contracts and certificates as contemplated in the first paragraphs of §§2 and 3 of the Act of 2nd July, 1890, the object of which is to repeal the provisions relating to the workmen's notebooks, modified by the Act of 26th December, 1908. 29th December, pp. LXXII., 367.\*
- Decree of the Minister of Public Works relating to the general clauses and conditions imposed on contractors for bridges and roads. 29th December, pp. LXXII., 367.\*

- Circular of the Minister of Public Works relating to the drawing-up of plans, the making of contracts, and the execution of work. 30th December, pp. LXXII., 367.\*
1911. Circular of the Minister of Labour relating to the application of §10, Sub-section 5, of the Decree of 29th November, 1904, concerning the safeguarding of scaffolding. 7th January, pp. LXXXIV., 367.\*
- Decree relating to the numbering of the Sections in Book I. of the Code of Labour and the coming into force of the Act of 28th December, 1910. 12th January, pp. III., 367.\*
- Decree of the Minister of Labour initiating competitions between the ordinary Savings Bank and the Committees for promoting the erection of cheap dwellings, with a view to spreading ideas and works for social improvement. 12th January, pp. CII., 367.\*
- Circular of the Minister of Labour, relating to the application of the Act of 18th July, 1907, respecting the faculty of adhering to the legislation relating to industrial accidents. 31st January, p. 367.\*
- Decree issuing public administrative regulations for carrying out the Act of 5th April, 1910, respecting pensions for workmen and peasants. 24th March, p. 368.\*
- Decree issuing public administrative regulations for carrying out the Act of 5th April, 1910, respecting pensions for workmen and peasants. 25th March, p. 368.\*
- Order of the Minister of Labour, relating to the proof of the civil position of Frenchmen born abroad, for the purpose of their enrolment on the list of insured persons under the Act of 5th April, 1910, with respect to workmen's pensions. 26th March, p. 368.\*
- Act concerning modifications in §7 of the Act of 20th July, 1886, with respect to the National Fund for Old Age Pensions, modified by §61 of the Act of 26th July, 1893. 27th March, pp. CL., 368.
- Order of the Ministers of Labour and of Finance, relating to the proofs to be furnished by persons compulsorily or optionally insured under the Act of 5th April, 1910, with respect to workmen's pensions. 30th March, p. 368.\*
- Circular of the Minister of Labour relating to the prohibition of deductions from wages for insurance against industrial accidents. 30th March, pp. CXLIII., 368.\*
- Order of the Ministry of Labour relating to the special granting of life pensions as contemplated under the Act of 31st December, 1895, respecting the increase of the pensions from the National Pension Fund. 6th April, p. 369.\*
- Decree regulating the labour contracts in French Equatorial Africa. 7th April, pp. LXXII., 369.\*
- Order of the Ministers of Finance and of Labour, relating to the collection by the Friendly Societies or the Pension Funds of trade associations, of the subscriptions of beneficiaries under the Act of 5th April, 1910, respecting pensions for workmen and peasants. 25th April, p. 369.\*
- Decree approving the regulations for the pensioning of the staff of the State Railway System. 13th May, p. 369.\*
- Circular of the Minister of Labour relating to the exercise by miners' delegates of their powers respecting the control of working conditions. 20th May, pp. CII., 369.\*
- Decree fixing for the year 1912 the quota of the taxes to be contributed to the guarantee fund for accidents to workers. 22nd May, pp. CXLIII., 369.\*
- Decree modifying the Decree dated 29th November, 1904, relating to the health and safety of workers. 2nd June, pp. L., 369.
- Order constituting in the Department for General Statistics of France a permanent commission for the study of questions relating to measures of precaution against industrial unemployment. 22nd June, pp. CII., 372.\*
- Order fixing the rates of subvention to be allowed to the funds for rendering assistance in cases of involuntary unemployment for the benefits paid in the course of the second half-year of 1910. 23rd June, pp. CXLIX., 372.\*
- Decree fixing the grouping of the occupations contemplated in §83 of the public administrative regulations of the 25th March, 1911, for carrying out the Act on Workmen's Pensions. 1st July, p. 372.
- §§3 and 4 of the Financial Act relating to cheap dwellings. 13th July, pp. CI., 373.
- §40 of the Financial Act relating to the Disabled Seamen's Fund. 13th July, pp. CXLVIII., 373.\*

- §56 of the Financial Act relating to the composition of the Board of the State Railways. 13th July, pp. CII., 374.
- §76 of the Financial Act relating to pensions for workers employed in temporary warehouses of State-manufactured goods. 13th July, pp. CL., 374.
- §77 of the Financial Act relating to retiring pensions of technical officials and agents of the department of State-manufactured goods. 13th July, pp. CL., 375.
- §84 of the Financial Act relating to pensions granted to the civil staff of military departments. 13th July, pp. CL., 375.
- §95 of the Financial Act relating to the weekly rest of clerks in the offices of Government officials. 13th July, pp. XCII., 375.
- §119 of the Financial Act relating to subsidies granted to municipal employment bureaux. 13th July, pp. XCIII., 376.
- §§121, 122 and 123 of the Financial Act relating to pensions for workmen and peasants. 13th July, pp. CXLVI., 376.
- §139 of the Financial Act relating to miners suffering from ankylostomiasis. 13th July, pp. CXLIII., 376.
- §140 of the Financial Act granting a leave of absence of two months, with full treatment, to the female staff of the Department of Posts, Telegraphs, and Telephones, in the event of confinement. 13th July, p. 377.
- Act adding a paragraph to §9 of the Act of 29th December, 1905, dealing with the provident fund insuring against risks and accidents to which seamen are exposed. 13th July, pp. CXLIII., 377.
- Decrees relating (1) to health and safety precautions in glass works; (2) to the work of children in glass works. 8th October, pp. XXXVI., LXXIX., 377.
- Decree fixing the special regulations relating to the use of quick-setting cement. 12th October, pp. LXXXIV., 380.
- Decree regulating the employment of monies included in the Budget for grants to the municipal labour exchanges for filling situations without payment of fees. 25th October, pp. XCIII., 380.
- Circular of the Minister of Labour, addressed to the prefects, respecting the grants to the municipal employment bureaux in which no fees are charged. 15th November, pp. XCIII., 383.\*
- Decree prohibiting the employment in textile works, of cotton, cotton-wool, gauze, and other materials, which may have been used for surgical dressings. 30th November, pp. LXXXII., 383.
- Order of the Minister of Labour and Friendly Societies determining the text of the notice pointing out the hygienic precautions to be taken in the use of cement. 14th December, pp. LXXXIV., 383.
- Act relating to the enforcement of the International Convention of Berne respecting the night-work of women employed on industrial work. 22nd December, pp. XXXVII., 26.
- Decree modifying the Decree of 15th July, 1893, relating to the exemptions and exceptions contemplated by the Act of 2nd November, 1892, with respect to the work of women and children. 27th December, pp. XXXVII., 384.
- 1912. Act approving the arrangement signed at Paris, on 15th June, 1910, between France and Italy, respecting the protection of young French workers employed in Italy and young Italian workers employed in France. 6th January, pp. II., 386.
- Decree to promulgate the arrangement signed at Paris on 15th June, 1910, between France and Italy, for the protection of young French workers employed in Italy and young Italian workers employed in France. 19th February, pp. II., 386.
- §§54 to 62 of the Finance Act amending the Act of 5th April, 1910, respecting pensions for workmen and peasants. 27th February, pp. CXLVI., 386.
- Circular of the Minister of Labour, respecting the application of the Finance Act of 27th February, 1912 (workmen's pensions). 1st March, p. 390.\*
- Circular of the Minister of Labour, respecting the annual revision of the lists of insured persons (workmen's pensions). 5th March, p. 390.\*
- Circular of the Minister of Labour, respecting payments to the insurance funds for the financial management of the pension accounts (workmen's pensions). 9th March, p. 390.\*
- Circular of the Minister of Labour respecting the hours of opening of the town hall offices (workmen's pensions). 11th March, p. 390.\*

- Circular of the Minister of Labour, respecting the cards exchanged in the interval between two payments (workmen's pensions). 13th March, p. 390.\*
- Circular of the Minister of Labour respecting mistakes made by insured persons in the use of stamps (workmen's pensions). 19th March, p. 390.\*
- Circular of the Minister of Labour and Friendly Societies respecting the recovering and deduction of fines imposed in virtue of §23 of the Act of 5th April, 1910 (workmen's pensions). 26th March, p. 390.\*
- Circular of the Minister of Labour and Friendly Societies (application of the Act respecting workmen's pensions to the staffs of main, secondary and local railway lines and tramways). 10th April, p. 391.\*
- Circular of the Minister of Labour and Friendly Societies, respecting the distributing of annual cards, drawn up for the benefit of insured persons who have selected masters' pension funds (workmen's pensions). 17th April, p. 391.\*
- Circular of the Minister of Labour and Friendly Societies, Act of 27th February, 1912, §62; admission to the benefits of the transitional period (workmen's pensions). 6th May, p. 391.\*
- Circular of the Minister of Labour and Friendly Societies respecting the application of the Act of 5th April, 1910, to wards who are in the charge of the Relief Board. 23rd May, p. 391.\*
- Act amending paragraph 3 of §62 of the Act of 27th February, 1912, respecting pensions for workmen and peasants, with a view to extending to 1st January, 1913, the retrospective time limit granted to insured persons, with a view to benefiting from the advantages of the transitional period. 11th July, pp. CXLVI., CXLVIII., 391.

## GERMANY.

### EMPIRE.

1911. Notification respecting the procedure of engaging and dismissing workers and officials of sick funds, as well as disputes arising out of their working conditions. No. 3924. 1st August, p. 5.\*
- Rules for the prevention of accidents. 7th November, pp. CXLIV., 18.\*
- Notification respecting the equipment of stone quarries and stone masonries. No. 3959. 20th November, pp. XXXVIII., 5.
- Notification in regard to the employment of women workers in coal, zinc, and lead mines within the administrative district of Oppeln. No. 3960. 24th November, pp. XXXIX., 6.
- Notification respecting the employment of women and young persons in sugar factories, sugar refineries, and undertakings for extracting sugar from molasses. No. 3962. 24th November, pp. XXXIX., 6.
- Employees' Insurance Act. 20th December, p. CL.
- Home Work Act No. 3980. 20th December, pp. III., LIII., 7.
- Act concerning the repeal of the Friendly Societies Act. 20th December, pp. CVII., 13.
- Notification in regard to the procedure before the Imperial Supervisory Board for private insurance in cases where §1321, paragraph 3, sentence 2, of the Imperial Insurance Code is applicable. No. 3999. 20th December, p. 16.\*
- Notification respecting the temporary regulations in regard to Invalidity Insurance and the insurance of dependants in accordance with the Imperial Insurance Code. No. 3991. 21st December, p. 16.\*
- Notification in regard to temporary regulations in pursuance of the Imperial Insurance Code. No. 3992. 22nd December, p. 16.\*
- Notification in regard to temporary regulations in pursuance of the Imperial Insurance Code. No. 3993. 23rd December, p. 16.\*
- Notification in regard to the equipment and the management of industrial undertakings for grinding Thomas-slag or storing slag meal. No. 3998. 23rd December, pp. LXXXI., 16.
- Order in regard to the management and procedure of the Imperial Insurance Office. No. 3987. 24th December, p. 17.\*
- Order in regard to the fees of solicitors in proceedings before the Insurance Authorities. No. 3988. 24th December, p. 17.\*
- Order in regard to the management and procedure of the Superior Insurance Offices. No. 3989. 24th December, p. 17.\*
- Order in regard to the management and procedure of Insurance Offices. No. 3990. 24th December, p. 18.\*

- Act concerning the modification of §§114a, 120, 120e, 134, 139b, 139h, 146, 146a, 147, 150, 154a of the Industrial Code No. 4005. 27th December, pp. III., 105.
- Notification in regard to the official publication of fundamental decisions by the Imperial Insurance Office. No. 4003. 30th December, p. 18.\*
1912. Notification relating to the method adopted for engaging, giving notice, and dismissing employees and officials of Sick Funds and in the case of disputes arising out of their service conditions. 12th January, p. 183.\*
- Notification relating to the invalidity and survivors' insurance of German employees of foreign states, and of such persons as are not subject to the jurisdiction of the German Courts. 6th March, p. 183.
- Notification relating to the collection of contributions for the invalidity and survivors' insurance of German subjects who are employed abroad by an official agency of the Empire or a Federal State, or by the directors or members of the same. 6th March, p. 184.
- Notification relating to the employment of women and young workers in glass works, glass grinding, and glass etching works, as well as in sand-blasting works. 20th March, pp. XXXIX., 184.
- Decree respecting the coming into force of the Act concerning the abrogation of the Friendly Societies Act. 13th May, pp. CIX., 295.
- Notification concerning the employment of women and young workers in rolling and hammer mills. 20th May, pp. XXXIX., 295.
- Notification concerning the procedure when engaging, giving notice to, and dismissing employees and officials of sick funds, as well as in cases of disputes arising out of their employment. 20th May, p. 298.\*

**FEDERAL STATES : *Baden.***

1909. Order of the Ministry of the Interior relating to the employment of young workers in the preparation of fibres, animal hair, cuttings or rags. 31st December, pp. XL., 201.\*
1910. Order of the Ministry of the Interior relating to the inspection of boilers. 27th April, pp. CIII., 201.\*
- Order of the Ministry of the Interior relating to the planning and management of stone quarries and excavation works. 12th December, pp. CIII., 201.\*
1911. Notification relating to the introduction of the Imperial Insurance Code with respect to the provisional appointment of the Insurance Authorities. 16th December, p. 201.\*
- Notification relating to the Statute of the Provincial Insurance Institute of Baden. 18th December, p. 201.\*

***Bavaria.***

1911. The Royal Minister of State of the Royal House and for Foreign Affairs, to the Royal Governments, Chambers of the Interior, the District and Local Police Authorities, as well as to the Royal Industrial Councillors, in regard to the equipment and management of metal pickling plants. 14th July, pp. LXXXI., 199.\*
- Notification of the Royal Minister of State of the Royal House and for Foreign Affairs, relating to employment agencies. 16th December, p. 199.\*
- Royal Decree relating to the Provincial Insurance Office and the Insurance Institutes. 29th December, p. 199.\*
- Notification in regard to the execution of the Imperial Insurance Code and the Introductory Act promulgated in connection therewith. 29th December, p. 199.\*
1912. Decree of the Ministry of State of the Royal House and for Foreign Affairs, relating to the employment of women in building operations. 20th February, pp. XL., 199.
- Orders of the Supreme Police Authorities of the Royal Ministries of State, of the Royal House, and for Foreign Affairs, as well as the Ministry of the Interior in regard to celluloid works and celluloid stores. 9th March, pp. LXXXI., 200.\*

***Bremen.***

1911. Act relating to old age and invalidity pensions for midwives. 29th April, pp. CXLVIII., 207.\*
- Order relating to the coming into force of the Order dated 25th December, 1910, in regard to the closing of shops at 8 p.m. in the town of Bremerhaven. 19th May, pp. LXXXVI., 207.\*



- Notification of the authority for sickness insurance in regard to the customary local daily wages of ordinary datal workers. 26th June, p. 207.\*
- Order relating to the modification of the Order concerning Sunday rest in commercial establishments in the town of Bremen. 13th September, pp. LXXXVI., 208.\*
- Order for the town of Vegesack relating to the carrying on of barbers', hair-dressers', and wig-makers' businesses on Sundays and holidays. 24th September, pp. LXXXIV., 208.\*
- Order for the town of Vegesack relating to hours of rest in barbers', hairdressers', and wig-makers' businesses on Sundays and holidays. 24th September, pp. LXXXIV., 208.
- Order of the Senate for carrying out §7 of the Introductory Law to the Imperial Insurance Code. 30th November, p. 208.\*
- Order relating to the method of contribution in accordance with the Fourth Book of the Imperial Insurance Code (invalidity and survivor's insurance). 14th December, p. 208.\*
- Order relating to the supervisory powers of the Provincial Insurance Institutes of the Hanse Towns with respect to the paying-in offices. 14th December, p. 208.\*
- Order of the Chief Police Administration for carrying out §5, paragraph 2, of the Order of the Senate, relating to the method of contributing in accordance with the Fourth Book of the Imperial Insurance Code (invalidity and survivors' insurance). 14th December, p. 208.\*
- Order relating to the competency of the Authorities in accordance with the Imperial Insurance Code, dated 19th July, 1911. 31st December, p. 209.\*

#### *Brunswick.*

1910. Order relating to industrial supervision. 24th February, pp. CIII., 203.\*
- Notification in regard to the carrying out of the Industrial Code. 26th February, p. 203.\*
- Order relating to the carrying out of the Act relating to employment agents of the 2nd June, 1910. 13th October, p. 203.\*
- Notification relating to the carrying out of the Act relating to employment agents of the 2nd June, 1910. 13th October, p. 204.\*
- Notification in regard to the working of the business of professional employment agents with the exception of professional employment agents for members of the theatrical profession and for sailors, as well as of the publishers of employment and vacancy registers. 13th October, p. 204.\*
- Notification in regard to the working of the business of professional employment agents for members of the theatrical profession, excluding the publishers of employment and vacancy registers. 13th October, p. 204.\*
- Notification in regard to the working of the business of publishers of employment and vacancy registers. 13th October, p. 204.\*
- Notification in regard to the tariff of fees of employment agents for members of the theatrical profession. 13th October, p. 204.\*
- Notification in regard to the tariff of fees of publishers of employment and vacancy registers. 19th October, p. 204.\*
- Notification in regard to the carrying out of the Industrial Code. 1st December. p. 204.\*

#### *Hamburg.*

1911. Mining Act. 3rd July, pp. CIII., 207.\*
- Notification relating to safety regulations for cleaning works. 15th September, pp. LXXXIV., 207.\*
- Notification relating to the equipment and working of stone-quarries and stone-masonry works. 4th December, p. 207.\*

#### *Hesse.*

1910. Notification relating to the employment of women and young workers in brick or tile works. 21st February, pp. XL., 202.\*
- Order relating to the administrative Order concerning the Industrial Code, dated 22nd September, 1900. 24th March, p. 202.\*
1911. Act relating to the protection of workers and the prevention of accidents during building operations. 8th July, pp. LXXXV., 202.
- Order relating to the carrying out of the Imperial Insurance Code. 16th December, p. 202.\*

Order relating to the carrying out of the fourth book of the Imperial Insurance Code. 16th December, p. 203.\*

Notification relating to the carrying out of the fourth book of the Imperial Insurance Code. 21st December, p. 203.\*

Notification relating to the provisional appointment of the Insurance Authorities. 27th December, p. 203.\*

#### *Lippe.*

1910. Modification of the administrative Order concerning the Industrial Code, dated 21st February, 1902. 10th January, p. 206.\*

Order for carrying out the Act relating to employment agents, dated 2nd June, 1910. 31st August, p. 206.\*

#### *Lubeck.*

1910. Supplement to the Lübeck Act relating to Industrial Courts, dated 25th November, 1905. 16th February, pp. XCV., 206.\*

Notification in regard to the trade in open places of sale and to the employment of assistants, apprentices, and workers in trade and commerce. 28th April, pp. LXXXVI., 206.\*

Administrative Order concerning the Act relating to employment agents, dated 2nd June, 1910. 24th August, p. 207.\*

Notification relating to the tariff of fees of professional employment agents. 28th September, p. 207.\*

#### *Mecklenburg-Strelitz.*

1909. Notification relating to the employment of women and young workers. 31st December, p. 203.\*

1910. Order for the carrying out of the Act relating to employment agents, dated 2nd June, 1910. 26th September, p. 203.\*

#### *Prussia.*

1911. The Minister of Commerce and Industry to the Presidents of Government districts and the President of the Police in Berlin, in regard to illnesses of workers employed in joineries and saw-mills. 21st June, pp. LXXXIII., 185.\*

The Minister of Commerce and Industry to the Presidents of Government districts and the President of the Police in Berlin in regard to the procedure when approving industrial undertakings. 19th July, pp. CIII., 186.\*

The Minister of Commerce and Industry and the Minister of the Interior to the Presidents of Government districts and the President of the Police in Berlin, in regard to the installation and management of works for the production of nitrate of ammonia explosives. 4th August, pp. LXXXI., 186.\*

The Minister of Public Works, the Minister of Commerce and Industry, and the Minister of the Interior, to the Presidents of Government districts, in regard to the protection of workers engaged in building operations. 19th August, pp. LXXXV., 186.\*

The Minister of Ecclesiastical and Educational Affairs, the Minister of Agriculture, Domains, and Forests, and the Minister of the Interior, to the Presidents of Government districts, in regard to the Employment Agents Act. 24th August, p. 186.\*

The Minister of Commerce and Industry, the Minister of Agriculture, Domains, and Forests, and the Minister of the Interior, to the Government Presidents, in regard to the Employment Agents Act. 10th November, p. 186.\*

Notification in regard to the carrying out of the Imperial Insurance Code. 7th December, p. 186.\*

The Minister of Public Works, the Minister of Commerce and Industry, and the Minister of the Interior, to the Presidents of Government districts and the President of the Police in Berlin, in regard to the manufacture of celluloid goods and celluloid store-rooms. 11th December, pp. LXXXII., 187.\*

The Minister of Commerce and Industry, to the Presidents of Government districts and the President of the Police in Berlin, in regard to the employment of women and young workers in raw sugar factories, etc. 14th December, p. 187.\*

1912. The Minister of Commerce and Industry, to the Presidents of Government districts and the President of the Police in Berlin, in regard to the installation and management of water gas, semi-water gas, and suction gas plants. 5th January, pp. LI., 187.\*
- The Minister of Commerce and Industry, to the Presidents of Government districts and the President of the Police in Berlin, in regard to the installation and working of industrial premises where Thomas slag is ground or Thomas slag powder is stored. 6th January, pp. LXXXI., 187.\*
- The Minister of Commerce and Industry to (a) the Administrative Presidents of Government districts and the President of the Police in Berlin; (b) the Royal Chief Mining Boards, Mining Directorates, amber mines in Königsberg, and the Mining Inspectorate of Rudersdorf, in regard to accidents with electrical plant. 10th January, pp. LI., 188.\*
- The Minister of Commerce and Industry and the Minister of the Interior, to the five Royal Chief Mining Boards, as well as the Presidents of Government districts, concerned, in regard to electric power installations in connection with mines. 11th January, pp. LXXVIII., 187.\*
- The Minister of Commerce and Industry, to the Presidents of Government districts and the President of the Police in Berlin, in regard to the Act relating to the amendment of the Industrial Code, dated 27th December, 1911. 13th February, p. 188.
- The Minister of Commerce and Industry and the Ministry of the Interior, to the Presidents of Government districts, to be observed also by the President of the Police in Berlin, in regard to the carrying out of the Home Work Act. 16th March, pp. LVII., 191.
- The Minister of Commerce and Industry, to the Royal Chief Mining Offices, with reference to the Act relating to the modification of the Industrial Code dated 27th December, 1911. 20th March, p. 199.\*
- Police Order relating to the transport of dangerous articles by merchant vessels. 30th March, pp. LXXXIX., 199.\*

*Reuss Elder Line.*

1910. Order in regard to the working of the business of professional employment agents. 27th September, p. 206.\*

*Reuss Younger Line.*

1910. Administrative Order concerning the Act relating to employment agents, dated 2nd June, 1910. 18th October, p. 206.\*

*Saxe-Altensburg.*

1910. Modification of the instructions for carrying out the Act relating to the modification of the Industrial Code, dated 1st June, 1891. 28th February, p. 205.\*
- Order of the Ducal General Ministry for the carrying out of the Act relating to employment agents, dated 2nd June, 1910. 15th October, p. 205.\*

*Saxe-Coburg Gotha.*

1910. Order relating to the carrying out of the Act relating to employment agents, dated 2nd June, 1910. 5th November, p. 205.\*
- Order relating to the carrying out of the Act relating to employment agents dated 2nd June, 1910. 5th November, p. 205.\*

*Saxony.*

1910. Act containing the new uniform wording of the whole of the mining legislation. 31st August, pp. LXXVIII., 200.\*
- Order relating to the business of professional employment agencies. 20th October, p. 200.\*
- Order relating to the carrying out of the General Mining Act of 31st August, 1910. 20th December, pp. LXXVIII., 200.\*
1911. Decree of the Minister of the Interior relating to the working hours of juvenile workers, in conformity with §136, paragraph 1, of the Industrial Code. 13th February, pp. XL., 200.
- Order relating to the drawing up of statistics with respect to professional employment agents. 29th November, p. 201.\*

*Schwarzburg Sondershausen.*

1910. Administrative Order in regard to the Act relating to employment agents, dated 2nd June, 1910. 30th September, p. 205.\*  
 Ministerial Order relating to safety regulations for dry cleaning works. 1st December, pp. LXXXIV., 205.\*

*Schwarzburg Rudolstadt.*

1910. Administrative Order concerning the Imperial Act of 2nd June, 1910, relating to employment agents. 20th October, p. 205.\*

*Waldeck.*

1910. Order concerning the carrying out of the Act relating to employment agents, dated 2nd June, 1910. 30th September, p. 206.\*

*Württemberg.*

1911. Order of the Ministry of the Interior relating to the execution of the Fourth Book of the Imperial Insurance Code. 13th December, p. 201.\*

**PROTECTORATES : Cameroon.**

1907. Order of the Governor of Cameroon relating to the payment of natives' wages in cash. 17th April, pp. LXXIV., 184.\*  
 1908. Order for regulating the system prevailing in connection with carriers. 4th March, pp. LXXIV., 184.\*  
 1909. Regulations relating to the protection of workers in connection with the construction of the Cameroon Northern and Central Railway. 14th August, pp. LXXV., 185.\*

*German New Guinea.*

1908. Order of the Governor of German New Guinea relating to the immigration and introduction of non-indigenous natives into the Protectorate of German New Guinea. 1st November, pp. LXXV., 185.\*

*German South-West Africa.*

1911. Preliminary Order of the Imperial Government of German South-West Africa, relating to the recruiting and working conditions of native workers from the Amboland. 16th March, pp. LXXV., 185.\*  
 Notification of the Governor to explain the preliminary Order, dated 16th March, 1911. 16th March, pp. LXXV., 185.\*

*Samoa.*

1903. Order of the Governor relating to the immigration and settlement of Chinese in Samoa. 1st March, pp. LXXV., 185.\*

**GIBRALTAR.**

1909. An Ordinance to amend the Merchant Shipping Ordinance, Gibraltar, 1886 No. 3 of 1909. 31st March, pp. XC., 323.\*  
 1910. An Ordinance to prohibit the manufacture, sale, and importation of matches made with white phosphorus, and for other purposes in connection therewith. No. 2 of 1910. 2nd March, pp. LI., 323.

**GREAT BRITAIN AND IRELAND.**

1909. Order in Council giving effect to the Convention between His Majesty and the President of the French Republic by modifying the Workmen's Compensation Act, 1906, in its application to workmen who are French citizens. 22nd November, pp. CXLIV., 298.  
 1910. An Act to facilitate the grant to members of the Constabulary of one day's rest off duty in every seven. 26th July, pp. XCII., 299.  
 1911. The Workmen's Compensation Rules, 1911. 31st March, pp. CXLIV., 300.  
 An Act to remove certain doubts as to the true interpretation of the Merchant Shipping Acts, 1894 to 1906, in respect of the payment of seamen's allotment notes. 18th August, pp. XC., 303.

- An Act to amend the Old Age Pensions Act, 1908. 18th August, pp. CXLVIII., 303.
- An Act to amend the law relating to labourers in Ireland. 18th August, pp. CII., 307.\*
- An Act to give power to make regulations with respect to cotton cloth factories. 18th August, pp. LXXXII., 307.
- Order of the Secretary of State, applying to the provisions of §116 of the Factory and Workshop Act, 1901, with modifications, to the manufacture of household linen, curtains and furniture hangings, and lace. 25th October, pp. LXI., 308.
- Act to provide for insurance against loss of health and for the prevention and cure of sickness and for insurance against unemployment, and for purposes incidental thereto. 16th December, pp. CIX., 27.\*
- An Act to amend and extend the Shops Regulation Acts, 1892 to 1904. 16th December, pp. LXXXVI., 247.\*
- An Act to enlarge the remedies of persons having claims for work done in connection with the stowing or discharging of ships' cargoes or the trimming of coal on board ships. 16th December, pp. XC., 309.
- An Act to prohibit the sale and use for the purpose of the manufacture of certain articles of unclean flock manufactured from rags. 16th December, pp. LXXXII., 310.
- Regulations, made by the Secretary of State under the Factory and Workshop (Cotton Cloth Factories) Act, 1911, as to humidity and ventilation in cotton cloth factories. 21st December, pp. LXXXII., 312.
- Order of the Secretary of State applying the provisions of §116 of the Factory and Workshop Act, 1901, with modifications, to factories and workshops in which the making of files is carried on. 23rd December, pp. LXI., 316.
- Order of the Secretary of State, applying the provisions of §116 of the Factory and Workshop Act, 1901, with modifications, to factories and workshops or parts thereof in which the manufacture of toy balloons, pouches, and footballs from indiarubber is carried on. 23rd December, pp. LXI., 318.
- Order of the Secretary of State, applying the provisions of §116 of the Factory and Workshop Act, 1901, with modifications, to factories and workshops which are laundries. 23rd December, pp. LXI., 319.
1912. Regulations for cotton cloth factories. Hygrometers Order. 18th March, pp. LXXXII. 320.
- An Act to provide a minimum wage in the case of workmen employed under ground in coal mines (including mines of stratified ironstone), and for purposes incidental thereto. 29th March, pp. LXI., 109.
- An Act to consolidate the Shops Regulation Acts, 1892 to 1911. 29th March, pp. LXXXVI., 247.
- Regulations, made by the Secretary of State, for bronzing with dry metallic powders in letterpress printing, lithographic printing, and coating of metal sheets. 11th April, pp. LI., 321.

#### GREECE.

1910. Act No. 3544 amending Act No. 3455 of 7th/20th December, 1909, respecting Sunday and holiday rest. 22nd January/4th February, pp. XLVIII., 277.
- Act supplementing and amending Act No. 3455 of 7th/20th December, 1909, and Act No. 3544 of 22nd January/4th February, 1910, respecting Sunday and holiday rest. 11th/24th March, pp. XLIX., 278.
- Act No. 3932 on the establishment of a Department of Labour and Social Questions at the Ministry of National Economy. 12th/25th November, pp. CIII., 280.
1911. Act No. 3934 respecting hygienic conditions and the safety of workers, and respecting working hours. 19th November/2nd December, pp. XLVII., 282.
1912. Act No. 3974 concerning decisions on disputes arising between workers and employers with respect to the payment of earnings and wages. 31st December, 1911/13th January, 1912, pp. LXIX., 283.\*
- Act No. 4028 concerning the regulation of the service of railway and tramway employees. 24th January/6th February, pp. XC., 283.
- Act No. 4029 concerning the work of women and minors. 24th January/6th February, pp. XLII., 285.
- Act No. 4030 concerning the payment of wages of workers and the wages of servants and employees. 24th January/6th February, pp. LXIX., 290.

*ITALY.*

1910. Royal Decree No. 104, adding a part to the provisions contained in the Royal Decree reorganising the Provident and Social Insurance Council. 24th February, pp. CIV., 27.\*
- Ministerial Decree for the inclusion of an item in the list relating to the industries admitted to the benefit of the exceptions with regard to rest on holidays. 11th April, pp. XLIX., 27.
- Act No. 520, relating to the institution of a Maternity Fund. 17th July, pp. CXXXIX., 28.
- Act No. 487, amending §§98, 99 and 108 of the Codified Text of the Health Act of 1st August, 1907, No. 636, §§27, 28 and 29 of the Act of 16th June, 1907, No. 337, relating to the cultivation of rice. 17th July, pp. LXXXVI., 30.
1911. Special Order, sanctioned by Royal Decree, No. 41, relating to the election, nomination, and sphere of action of the Boards of Conciliation in cases of disputes respecting contracts of work in rice fields. 5th January, pp. LXXXVI., 31.

*MALTA.*

1910. An Ordinance to prohibit the manufacture, sale and importation of matches made with white phosphorus. No. IX. of 1910. 28th June, pp. LI., 261.
- An Ordinance to amend Articles 17, 45c, 65b, 65g, 65h, 90, 94, 97, 106, 117, 120, 121, Chapter XII., and Articles 187, 226h, 226k, and 232 of the Police laws and to add thereto certain articles numbered 65m, 97a, 97b, and 97c. No. XI. of 1910. 30th September, p. XCI.

*THE NETHERLANDS.*

1911. Decree amending the Royal Decree of 10th August, 1909, containing the general administrative regulation referred to in §4 of the Labour Act. 6th February, pp. XI., 37.\*
- Act containing supplements to §21 of the Official Widows Act of 1890, and to §92 of the Accidents Act of 1901. 11th February, pp. CXLIV., 37.\*
- Decree containing regulations in regard to voluntarily accepted continuous supervision, on the part of the Government, of the accommodation for seafaring men, and of existing hospital accommodation on board Dutch ships. 7th March, pp. XCI., 37.\*
- Decree for the enforcement of §67, paragraph 1 (a) of the Ships Act. 7th March, pp. XCI., 37.\*
- Decree for further amending the Royal Decree of 12th July, 1909, as amended by the Royal Decree of 27th July, 1910. 17th July, pp. XII., 37.\*
- Decree dividing the Kingdom into districts in regard to the operations of the Labour Inspection. 18th July, pp. CIV., 37.\*
- Decree for the further amendment of the Royal Decree of 18th June, 1909, revising the general administrative regulation referred to in §31 of the Accident Act of 1901, as amended by the Royal Decree of 7th November, 1910. 12th August, pp. CXLV., 38.\*
- Decree for the further amendment of the Royal Decree of 5th December, 1902, as amended by the Royal Decree of 7th November, 1910, to publish a general administrative regulation as referred to in §52, second and third paragraphs, and §59, Sub-sections (1), (3), and (4) of the Accidents Act of 1901. 12th August, pp. CXLV., 38.\*
- Decree containing supplements to and amendments of the Royal Decree of 10th August, 1909, to publish a general administrative regulation, as referred to in §12, fourth paragraph, of the Labour Act. 2nd October, pp. CIV., 38.
- Act to amend the Labour Act. 7th October, pp. VI., 39.
- Act containing regulations relating to the particular dangers in regard to safety and health connected with the work of stonemasons. 7th October, pp. LXXX., 39.
- Decree containing the notification of the text of the Labour Act, 1911. 20th October, pp. VI., 47.
- Decree to amend the Royal Decree of 19th October, 1896, respecting the administration of the Steam Act in the form in which the said Decree is to be read in connection with the Royal Decree of 25th June, 1906. 20th October, p. 181.\*
- Decree to determine the time at which the Act of 7th October, 1911, to amend the Labour Act, shall come into force. 6th December, p. 59.

- Royal Decree to issue an Order in pursuance of §5 of the Labour Act of 1911. 6th December, pp. XI., 60.
- Decree issuing a general administrative regulation in pursuance of §6, seventh paragraph (a), of the Labour Act of 1911. 6th December, pp. XII., 81.
- Decree issuing a general administrative regulation in pursuance of §6, seventh paragraph (b), of the Labour Act of 1911. 6th December, pp. XIII., 84.
- Decree issuing a general administrative regulation in pursuance of §8, first paragraph, of the Labour Act of 1911. 6th December, pp. XIII., 87.
- Decree issuing a general administrative regulation as referred to in §13, ninth paragraph, of the Labour Act of 1911. 6th December, pp. XIV., 88.
- Decree issuing general administrative regulations as referred to in §21 of the Labour Act of 1911. 6th December, pp. XIV., 91.
- Decree to publish the international agreement respecting the prohibition of the use of white (yellow) phosphorous in the manufacture of matches, concluded at Berne on 26th September, 1906. 16th December, pp. II., 182.\*
- Decree to publish the international agreement respecting the prohibition of the night-work of women in industrial employment, concluded at Berne on 26th September, 1906. 16th December, pp. I., 182.\*

#### RUSSIA.

1909. Instructions respecting the modification of §65 of the Instructions to Factory Inspectors and of §44 of the Instructions to Mining Inspectors. 3rd/16th July, pp. CIV., 395.
- Instructions respecting the explanation of §§100 and 141 of the Industrial Act. 3rd/16th July, pp. LXXI., 396.

#### SPAIN.

1910. Royal Decree approving the annexed mining police regulations. 28th January, pp. LXXVIII., 399.
- Royal Decree establishing a special service of mining police in the districts of the provinces indicated. 16th December, pp. CIV., 396.
1912. Royal Order ordering that a minute examination of all those mining districts which are suspected of being infected with ankylostomiasis should be carried out by the sanitary inspectors of this branch, in the shortest possible time. 3rd January, pp. LXXVIII., 404.
- Act prohibiting the industrial night-work of women in workshops and factories. 11th July, pp. XLIV., 398.

#### SWITZERLAND.

##### *Appenzell Ausser-Rhoden.*

1911. Act relating to the supply of provisions and labour exchanges. 30th April, pp. XCIV., 144.\*
- Order in pursuance of the Act relating to the supply of provisions and labour exchanges. 24th November, pp. XCIV., 144.\*

##### *Basle Town.*

1911. Decision of the State Council with reference to the amendment of the administrative regulations of 23rd April, 1910, for carrying out the Act relating to the creation of a State Unemployment Fund, and relating also to the subsidising of private unemployment funds, dated 16th December, 1909. 5th August, pp. CL., 136.
- Act relating to the permanent official Board of Conciliation. 9th November, pp. XCVII., 95.
- Decision of the State Council relating to the amending of the administrative regulations of 23rd April, 1910, in pursuance of the Act relating to the creation of a State Unemployment Fund and to the subsidising of private unemployment funds, of 16th December, 1909. 13th December, pp. CL., 137.
- Act relating to the amendment of §§13, 49, and 50 of the Act relating to the conditions of service and the remunerating of the officials, employees, and workers of the Canton of Basle Town, of 8th July, 1909. 14th December, pp. XCII., 137.

1912. Executive Order, in pursuance of the Act relating to the permanent Board of Conciliation, of 9th November, 1911. 10th February, pp. C., 138.

*Ticino.*

1912. Act respecting apprentices. 15th January, pp. XLVI., 404.

Act respecting Sunday and holiday rest in technical and administrative offices of commercial or industrial concerns of a private nature. 15th January, pp. XLIX., 291.

Act respecting women's labour in industrial concerns not subject to the Federal legislation, warehouses, shops, and offices. 15th January, pp. XLV., 292.

#### *UNITED STATES.*

1912. An Act to provide for a tax upon white phosphorous matches, and for other purposes. 9th April, pp. LII., 145.

An Act limiting the hours of daily service of labourers and mechanics employed upon work done for the United States, or for any territory, or for the District of Columbia, and for other purposes. 19th June, pp. LXXII., 405.



## II. SUBJECT INDEX OF LAWS AND ORDERS IN VOL. VII. OF THE ENGLISH EDITION OF THE BULLETIN OF THE INTER- NATIONAL LABOUR OFFICE.

LIST OF ABBREVIATIONS.—Ant. = Antigua; App. = Appenzell-A.-Rh.; Austrl. = Australia; Aus. = Austria; Aus.-b.-E. = Austria below the Enns; Bad. = Baden; Bas. T. = Basle Town; Bav. = Bavaria; Bel. = Belgium; Bre. = Bremen; Bru. = Brunswick; Cam. = Cameroon; Den. = Denmark Fr. = France; Ger. = Germany; G.N.G. = German New Guinea; G.S.W.A. = German South-West Africa; Gib. = Gibraltar; Gre. = Greece; Ham. = Hamburg; Hes. = Hesse; Hun. = Hungary; It. = Italy; Lip. = Lippe; Lüb. = Lübeck; Meck.-Str. = Mecklenburg-Strelitz; Neth. = Netherlands; N.S.W. = New South Wales; N.Z. = New Zealand; Nor. = Norway; Pr. = Prussia; Queen. = Queensland; Reuss. E.L. = Reuss Elder Line; Reuss Y.L. = Reuss Younger Line; Rus. = Russia; Sam. = Samoa; Sas. = Saskatchewan; Saxe Alt. = Saxe-Altenburg; Saxe-Cob.-Got. = Saxe-Coburg-Gotha; Sax. = Saxony; Schw. Rud. = Schwarzburg Rudolstadt; Schw. Sond. = Schwarzburg Sondershausen; S. Austrl. = South Australia; Sp. = Spain; Swe. = Sweden; Switz. = Switzerland; Tic. = Ticino; U.K. = United Kingdom; U.S.A. = United States of America; Vic. = Victoria; Wal. = Waldeck; W. Austrl. = Western Australia; Würt. = Württemberg.

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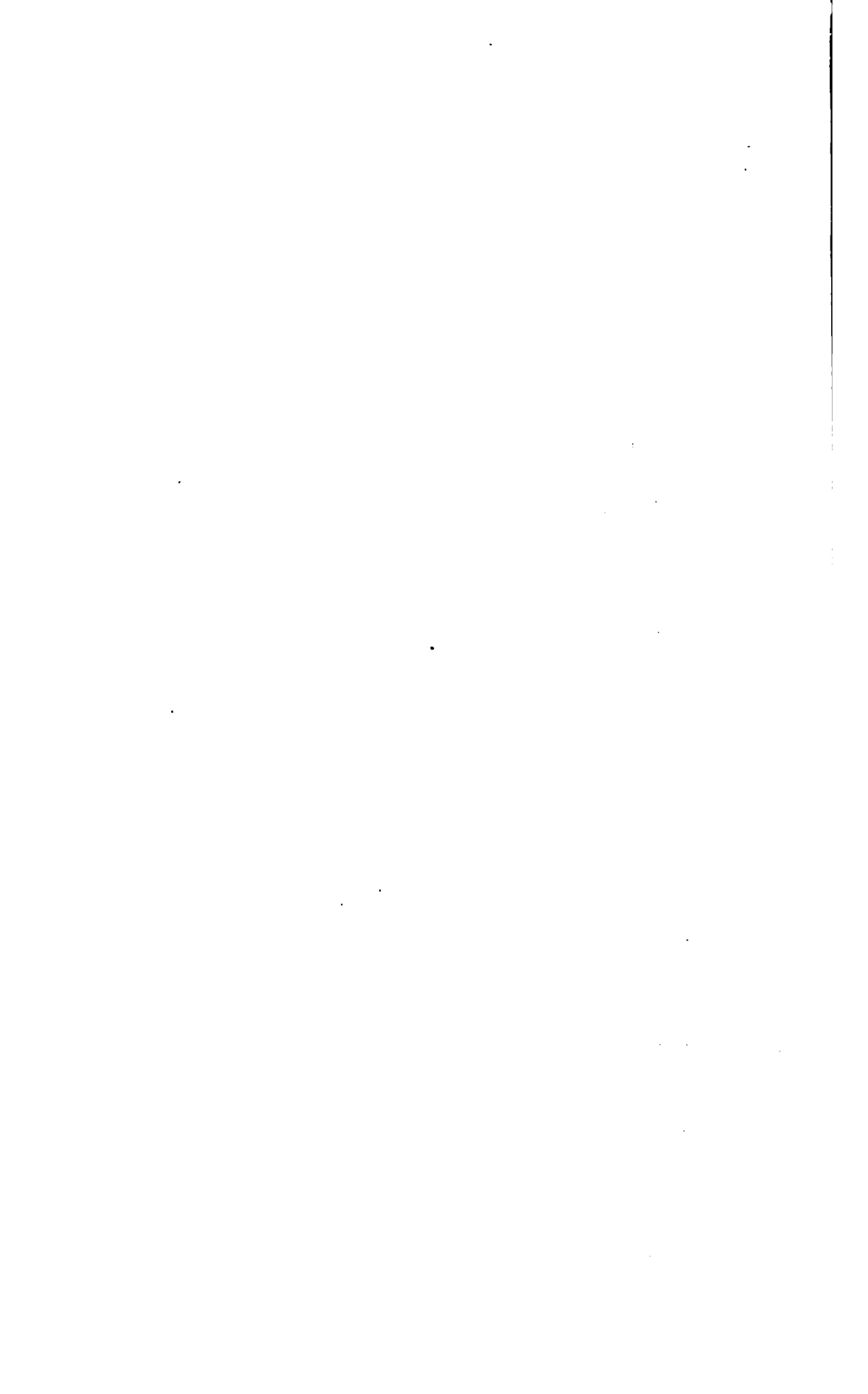
















# Bulletin

OF THE

# INTERNATIONAL LABOUR OFFICE

[NOTE.—The German, French, and English editions of the *Bulletin* are referred to as G.B., F.B., and E.B., respectively.]

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# **1. International Labour Legislation**

## **1.0. International Convention respecting the prohibition of the industrial night-work of women. Dated 26th September, 1906 (Text E.B. I., p. 272.)**

(A) The appended table gives information respecting the position (on 31st December, 1912) as regards the deposit of ratifications and adhesions to the International Convention signed at Berne on 26th September, 1906, respecting the prohibition of the industrial night-work of women.

(B) *NETHERLANDS*. The Convention respecting the night-work of women was promulgated by the Decree dated 16th December, 1911 (Staatsblad No. 362, Title E.B. VII., p. 182, No. 3).

(See also 2·00 New South Wales, 2·01 Austria, Belgium, France, Greece, Spain, The Netherlands.)

## **1.1. International Convention respecting the prohibition of the use of white (yellow) phosphorus in the manufacture of matches. Dated 26th September, 1906. (Text E.B. I., p. 275.)**

(A) The appended table gives information respecting the position (on 31st December, 1912) as regards the deposit of ratifications and adhesions to the International Convention signed in Berne on 26th September, 1906, concerning the prohibition of the use of white (yellow) phosphorus in the manufacture of matches.

By a Circular of the Swiss Federal Council of 17th July, 1911 (Text E.B. VII., p. 1, No. 1), the question whether Article 1 of the agreement should also apply to the importation of sample consignments of matches containing white phosphorus was submitted to the signatory States for an expression of opinion. It was shown from written communications between the British and German Governments, that the latter answered the question in the negative, and this in view of the fact that it was in accordance with the spirit of the agreement to prohibit only the importation of phosphorus matches for the purpose of their industrial use in the country itself, because only a prohibition to this effect served the purpose of protecting the workers in the country concerned; on the other hand, the British Government expressed its opinion to the effect, that the question as to whether the agreement should apply to the importation

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of such sample consignments should be answered in the affirmative, since by Article 1 the importation of white phosphorus matches had been prohibited generally and without restriction. Of the nine signatory States, whose replies are published in the Circular of the Swiss Federal Council of the 20th December, 1911 (Text E.B. VII., p. 1, No. 2), Luxemburg and the Netherlands agree with the interpretation of the German Government ("provided it were a case of quite a restricted quantity"), and the remaining States, viz.: Italy, Denmark, France, Spain and Switzerland agree with the opinion of Great Britain, the latter with the remark: "We should like to add that we cannot conceive the object of sending samples of matches containing white (yellow) phosphorus to any of the signatory States, on account of the prohibition of sale to which the said productions will be subjected, as soon as the said International Convention comes into operation."

(B) *NETHERLANDS*. The Phosphorus Convention was promulgated by a Decree, dated 16th December, 1911 (Staatsblad No. 361, Title E.B. VII., p. 182, No. 2.)

(See also 2.00 Victoria, 2.03 British Colonies, Hungary, United States of America.)

### 1.2. Franco-Italian Convention concerning the protection of young workers. Dated 15th June, 1910. (Text E.B. V., p. 329.)

The Franco-Italian Convention concerning the protection of young workers (Text E.B. V., p. 329) was sanctioned by the French Parliament by an Act of 6th January, 1912 (Text E.B. VII., p. 386, No. 65), and brought to the knowledge of the public by a Notification of 19th February, 1912 (Text E.B. VII., p. 386, No. 66).

## 2. National Labour Legislation

### 2.0. Labour Legislation of General Application

#### 2.00. FACTORIES AND WORKSHOPS.

*FRANCE*. *Act to consolidate the Labour Acts* (Book I. of the Labour Code), dated 28th December, 1910 (Title E.B. VII., p. 366, No. 20). In connection with the consolidation of the French Labour Acts, Book I., concerning the labour contract, was published on the 28th December, 1910. The Act does not contain any new law, but only codifies the provisions concerning the labour contract distributed over a number of legislative enactments, namely:—(1) §15 of the Act of the 22 Germinal of the year XI.; (2) §§20 to 28 of the Act of 18th March, 1806; (3) Decree of 2nd March, 1848; (4) Order of 21st March, 1848; (5) Act of 7th March, 1850; (6) Act of 22nd February, 1851, with the exception of the final sentence of §8 and of the entire §9; (7) Decree of 25th March, 1852; (8) Act of 21st July, 1856; (9) Act of 2nd July, 1890; (10) Act of 25th July, 1891; (11) Act of 12th January, 1895; (12) Act of 18th July, 1901; (Text F.B. I., p. 25); (13) Act of 14th March, 1904 (Text F.B. III., p. 46, No. 2), with the exception of §13; (14) Act of 27th November, 1909 (Text E.B. V., p. 104, No. 16), by which lying-in women are guaranteed their work or their employment; (15) Act of 7th December, 1909 (Text E.B. V., p. 104, No. 17) on the payment of wages of workers and employees; (16) Act of 25th March, 1910 (Text E.B. V., p. 377, No. 8), which abolishes truck shops and prohibits employers from selling to their

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workers and employees goods of any kind, either directly or indirectly. All these provisions are repealed. The corresponding administrative orders, however, remain in force until amended. In the same way the Acts in question remain in force in Algeria and the Colonies. Detailed regulations with respect to the application of the provisions of the Labour Code to Algeria and the Colonies may be issued by Order.—An Order of 12th January, 1911 (Title E.B. VII., p. 367, No. 26), contains the Text of Book I. of the "Code du Travail," with a new arrangement of numbers, and fixes 12th January, 1911, as the date when this Book shall come into force.

*GERMAN EMPIRE. Act to amend §114a, etc., of the Industrial Code, dated 27th December, 1911 (Text E.B. VII., p. 105).* The Draft of an Act to amend the Industrial Code submitted to the Reichstag on the 16th December, 1907 (Reichstag Publications, No. 552, 12th Legislative Period, I. Session, 1907) acquired legal force partly in the Act of 28th December, 1908, to amend the Industrial Code (Text E.B. III., p. 335, No. 3), and partly in the Home Work Act of 20th December, 1911 (Text E.B. VII., p. 7, No. 5). In so far as the remaining provisions of the original Bill had not been essentially altered during the deliberations of the Committee (provisions concerning wages books, attendance at continuation schools, maximum working hours in industries injurious to health, penalties for infringements, and the abolition of wages-books for minors), the Government submitted the same again to the Reichstag in a Bill to amend §114a, etc., of the Industrial Code of the 11th February, 1910 (Reichstag Publications, No. 238, 12th Legislative Period, II. Session 1909-10). Certain provisions were, however, reserved for further consideration, namely, those concerning the legal position of works officials, foreman and technical employees, in regard to which the resolutions of the Committee differed so considerably from the Government Bill that the Government did not feel able to approve of them without further consideration. Neither did the new Bill deal with the numerous other suggestions of the Reichstag Committee (extension of the prohibition of the truck system, regulating anew the conditions concerning notice and discharge, regulating the apprenticeship system in commerce, stricter conditions as to the protection of workmen employed in heavy industries, the granting of police powers to the Industrial Inspection Authority, and their extension to commerce, early closing of shops, maximum working hours for office employees, regulating the service agreements of private employees). Objections to these resolutions had already been raised in the discussions of the Committee by the representatives of the Federated Governments, partly on principle and partly because they considered that these questions had not been sufficiently investigated to be dealt with already in the Bill. (Explanatory Memorandum, Reichstag Publications, No. 238, p. 5.)

During the first debate in the Reichstag on the 17th February, 1910 (Shorthand Reports, p. 1358A) objections were raised by the various parties on account of the technical private employees being left out of the Bill. The representative of the Government, Dr. Delbrück, Secretary of State for the Interior, justified the exclusion of this question and of the other questions referred to, by stating that it was in the interests of the steady and peaceful development of social legislation for questions which were ripe for treatment, to be dealt with immediately and not connected with controversial matters. As regards the technical employees, the question of deducting the sick-money



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from the salary to be paid during sickness for a certain period, and the question of the competition clause were still matters of controversy.

The Committee on the Home Work Bill, to which the Bill had been referred for further consideration, commenced their deliberations in January, 1911, and terminated the same in March, 1911. The wording of this Bill was agreed to by the Reichstag at its second meeting on 18th November, 1911 (Shorthand Reports, p. 8005) without essential alterations. During the third reading on 5th December, 1911 (Shorthand Reports, p. 8329), 1st April, 1912, was fixed as the date for the coming into force of the Act, and the Bill was passed unanimously.

The object of the new Act is, in the first instance, the removal of certain defects which had become apparent in the working of the former provisions concerning wages books and work tickets (§114a of the Industrial Code) as to which complaints had been received from the owners of ready-made clothing and underclothing businesses, who had been affected by the Notification of 9th December, 1902 (Text G.B. I., p. 605, No. 3) (insufficient space in the wages books ; rule that the entries should be made in ink ; rule that the wages book should always be in the possession of the workers, etc.) It also appeared advisable, in accordance with the suggestions of the Advisory Council for Labour Statistics (see publications of the Advisory Council for Labour Statistics ; Proceedings 6, 7, 10, 11-15), and upon the recommendation of the employers that, for the purpose of protecting the workers against uncertainties in their conditions of work, the wages book should be transformed simultaneously into an account book, thereby saving double entries. The Act accordingly provides that in the wages books and work tickets, the drawing up of which is left to the Federal Council (instead of to the Imperial Chancellor, as previously), there should be entered, in addition to the indications hitherto required concerning the kind and amount of work, the rates of wages and the conditions for the delivery of tools and materials, also the dates of giving out the work and its delivery, the nature and extent of the work delivered, the amount of wages, with particulars of any deductions made, and the date on which wages are paid. The existing prohibition to make any annotations in giving certificates of employment, is also to hold good for wages books and work tickets. In future it will also be admissible to make entries respecting the name, firm and domicile of the employers, the name and residence of the worker, the work given out, and the wages agreed or paid for the same. The entries, which must be made in ink, unless the Federal Council issues contrary stipulations, must be signed by the employer or an official of the concern authorised for the purpose ; after consulting the workers concerned, the Federal Council may stipulate that the wages books shall be kept at the working-place, in order to safeguard any trade secrets. In so far as the Federal Council does not issue any regulations concerning the wages books or work tickets, the Central State authority, and after consulting the employers and workers, also the competent police authority, may rule on these matters. With reference to §120, concerning the attendance at continuation schools of workers under the age of 18, the amended Act provides that the obligation to attend school may be extended by Communal Regulations to all workers of both sexes under the age of 18 (not only, as formerly, to male workers under 18 and to female commercial clerks and apprentices under 18). This obligation holds good also during a period of unemployment (by which means any interruption of the course of instruction by irregular attendance at the school will be avoided), and may also be introduced on application being made in this behalf by the employers or workers, in the case of any Communes failing to take action,

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by Decree of the Higher Administrative Authority. An addition to §120e serves to remedy a defect in the preparation of regulations issued by the Federal Council on the arrangement and working of certain kinds of industrial works, which had been repeatedly felt, namely, that no rules could be issued by the Federal Council concerning the conduct of the workers during work (as, for instance, concerning the prohibition of bringing food and intoxicating drinks with them, smoking during work, keeping their hands clean, the use of protective appliances, etc.) As the remedy hitherto adopted, namely, that of compelling employers to issue the rules in question, did not sufficiently ensure the observance of these important requirements, the amended Act now provides that the Regulations of the Federal Council may also include rules for the protection of life and health, regulating the conduct of the workers during work, compliance with which may then be enforced by means of the legal penalties provided in §147, paragraph 1, No. 4. A copy of the rules in question must be brought to the notice of the workers by being posted up. A further important new feature is contained in §120f. As the regulations of the Federal Council are issued for the whole of the Empire, and there are objections to legally regulating special conditions in single districts or places by general regulations, the new provision contained in §120f now entitles also the Central State authorities and the police authorities to regulate, in trades in which the health of the workers is endangered by excessive duration of daily working hours, the duration, commencement and termination of the admissible daily working hours, and of the intervals to be granted (see publications of the Advisory Council for Labour Statistics, Proceedings No. 18, p. 10); the Industrial Inspectors are further granted the right, in such cases, to make applications to the police and to give their expert opinion before the police take the necessary steps. The new wording of §134, paragraph 2, removes the provision introduced in the Industrial Code by the Amending Act of the 21st June, 1900, according to which wages pay-books shall be kept for workers under age at the expense of the employers. As the educational effect, which was ascribed to this measure, was not obtained to the desired extent, and as the employers looked upon the wages books as a troublesome and useless institution, the Government itself proposed to abolish them. This provision was replaced by the Committee, and as a result also by the Reichstag, by another to the effect that, when paying wages to the workers in the ordinary way, a written voucher should be handed to them, stating the amount of the wages earned, and the several kinds of deductions made. The new Act further contains a series of increased penalties, which, however, do not reach the amount provided for in the Bill of 1907; the penalties to which workers are liable for disregarding the protective regulations, in accordance with §120e, have been reduced from 300 mks. (§147, paragraph 1, Nos. 4, 5 of the Bill of 1907) to 6 mks. Finally, by a modification of §154a of the Industrial Code, the Federal Council, and the Central State Authority or police authority respectively are granted power to prescribe wages books and work tickets for mining concerns and to issue the necessary regulations for complying with this requirement; in the same way, the provision concerning written vouchers for wages is to apply also to mining concerns.

Various German States have issued administrative orders in pursuance of the Industrial Code and the amending Acts, viz.: Under the Act of 27th Dec., 1911 (Text E.B. VII., p. 105) *Prussia* (13th Feb., 1912, Text E.B. VII., p. 188, No. 14; and 20th Mar., 1912, Title E.B. VII., p. 199, No. 16); under earlier amending Acts, *Hesse* (24th Mar., 1910, Title E.B. VII., p. 202, No. 2); *Mecklenburg-Strelitz* (31st Dec., 1909, Title E.B. VII., p. 203, No. 1); *Brunswick* (26th Feb., and 1st Dec., 1910, Titles E.B. VII., pp. 203, 204, Nos. 2, 10); *Saxe-Allenburg* (28th Feb., 1910, Title E.B. VII., p. 205, No. 1); *Lippe* (10th Jan., 1910, Title E.B. VII., p. 206, No. 1).

## VI.

**NETHERLANDS.** An Act to amend the Labour Act, dated 7th October, 1911 (Title E.B. VII., p. 39, No. 10; Text of the Consolidated Act of 20th October, 1911, E.B. VII., p. 47, No. 12). The adhesion of the Netherlands to the Convention signed at Berne on 26th September, 1906 (Text E.B. I., p. 272), respecting the prohibition of the night-work of women in industrial occupations, necessitated certain alterations in the existing Labour Act of 5th May, 1889. The Government decided to incorporate in their Bill at the same time some other urgent new features. Some delay was caused on account of the Minister for Agriculture, Industry and Commerce, Mr. A. S. Talma (1908), not feeling able to adopt, without further question, the Bill prepared by his predecessor, Mr. Veegens, which had already been reported on by the Council of State, because of the new provisions contained in it respecting home work, in view of the inquiry into the home work problem then in progress. Mr. Talma's Bill, re-drafted with the co-operation of the General-Director of Labour, was introduced into Parliament on 30th April, 1910 (see *Handelingen der Staten-Generaal. Bijlagen 1909-1910. Tweede Kamer. 257, 1-6.*)

The Bill conformed to the provisions of the Berne Convention by providing, in addition to the existing legal requirements, that women should not work in factories and workshops between the hours of 7 p.m. and 6 a.m. (formerly 5 a.m.), and also that, in the event of exemptions being allowed from this rule for particular industries or by official authorisation for particular establishments, the rule that at least 11 hours' rest should be allowed between two consecutive working days, including the period from 10 p.m. till 5 a.m., should nevertheless be observed as far as the employment of women in factories and workshops was concerned. An exemption was to be allowed in pursuance of Article 3 (2) of the Convention (exceptions to the prohibition of night-work in connection with the working of materials subject to rapid deterioration) only in the case of herring-spitting. Thus the Bill went considerably beyond the requirements of the Berne Convention, not only in dispensing with the power to grant exceptions under Article 3 (1) and Article 4 (exceptions to the prohibition of night-work in the case of interruptions of work impossible to foresee and not of a periodic character, and the reduction of the night's rest to 10 hours on 60 days in the year in seasonal industries), but also (adhering to the sphere of application of the existing law) in extending the provisions respecting the night rest to *all* factories and workshops, not only those employing more than 10 men or women.

Amongst the new features contained in the Bill not having any connection with the Berne Convention, we may mention the following: The inclusion of young persons also under the prohibition of night-work and the raising of the age of protection from 16 to 17 years; the reduction of the normal working day for women and young persons to 10 hours (formerly 11 hours); the prohibition of the employment of married women after 4 p.m. on Saturdays; at least half-an-hour's break for women and young persons after every 4½ hours' work, and if the period of employment exceeds six hours, a break of one or 1½ hours respectively, according to whether work ceases not later than 6 p.m. or is continued after that hour (formerly a break of one hour between 11 and 3); the raising of the age of admission to industrial occupations from 12 to 13 years; more definite drafting of the provisions respecting the penal liability of the employer; amendment of the provisions respecting labour tickets (longer term of validity, duty of women to be in possession of labour tickets, etc.), labour lists (required to be kept even in large establishments

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not employing any persons of the protected classes) ; the requirement to keep a labour register ; compulsory notification of certain occupational diseases.

During consideration in Committee (*cf.* provisional Report of the Committee, dated 13th July, 1910, Appendix 257, 7 ; reply of the Minister, dated 6th October, 1910, and other documents, Appendix 39, 1-8) the Bill was, in its more important features, left unchanged. The most important amendments concerned the provisions respecting hours of work and breaks in work ; instead of the rigid 10-hour day, certain undertakings were given the opportunity of procuring Ministerial permission to work a 10½-hour day, subject to a maximum 58-hour week ; in addition, young persons aged 15 years were to be permitted to work in glass works, an exception which the original Bill had included amongst the transitory provisions.

The amended Bill was considered in the Second Chamber in its sittings of 16th March to 5th April, 1911 (*cf.* Appendixes 39, 9-23, and the Shorthand Report, pp. 1765-1775, 1781-1949), and in the First Chamber at the sittings of 4th and 5th October, 1911 (*cf.* Appendixes 39, and Shorthand Report, pp. 15-33, 36-50), and was amended in various respects in the process. On 7th October, 1911, the Bill received the Royal Assent. The consolidated text of the Labour Act was published by Decree dated 20th October, 1911 (Text E.B. VII., p. 47, No. 12.)

The principal provisions of the Labour Act, which, as the Government desired, has remained especially an Act for the protection of women and children (for this reason the question of a general 10-hour day was excluded) are now the following : Work within the meaning of the Act is taken to mean all work in or for any enterprise except in connection with agriculture, forestry, horticulture and cattle-breeding, and the work of a person living with the employer in his household or stable buildings. The following establishments are expressly excluded from the application of the Act : handicraft and trade schools, both underground and surface works in mining, Government institutions, military service, and also the work of the employer himself. The shipping and fishing industries are only exempt from certain provisions respecting hours of work, and domestic industries from the requirements respecting labour tickets and lists. On the other hand, the following trades are subjected to the Act : barking oak and osier branches, making hoops, flax-breaking and swingling. The former exclusion of turf-cutting (*veenderij*), which it was intended to introduce also in the Government Bill, was omitted, since the abuses arising in this trade in connection with the system of payment by the piece (long working hours, beginning often one hour before sunrise and not ending until between 6 and 7 o'clock in the evening, and the employment of children and women in heavy work, such as spreading out the turf and wheeling barrows) made the intervention of the law urgently necessary. The Government opposed the inclusion of agriculture on the ground that a special Act on this subject was in preparation (Shorthand Report, p. 1799).

The employment of children under 13 (formerly under 12) or over 13 years of age, if not exempt from school attendance, is prohibited. In addition, young persons under 18 (formerly 16 ; Government Bill, 17), and women over 18 may be excluded, by order, from dangerous processes, or may be admitted to such employment only subject to certain conditions.

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The provisions respecting the hours of work of young persons, *i.e.*, persons under 17 (a motion to raise the age of protection to 18 years was rejected by 42 votes to 30), and of women, gave rise to lengthy debates and were amended in important respects. The amended Bill contains the following provisions on this matter—we repeat the main points—the duration of the working day is fixed at a maximum of 10 hours; night-work between 7 p.m. and 6 a.m., is prohibited; the employment of married women on Saturdays is only permitted until 4 o'clock with certain exceptions to be specified by order; breaks of less than half-an-hour are not, as a rule, to be counted; the industrial employment of protected persons outside the factory or workshop at any time outside the legal hours of work is prohibited; the Minister may, with a view to the better organisation of hours of work, permit the adoption of a 10½-hour day in a 58-hour week in particular undertakings, subject to certain conditions and for a specified period; in addition, the Minister may, under certain conditions, allow specified undertakings to employ male young persons, who must be specifically named, of 15 or 16 years of age, for the purposes of their industrial training, between 7 p.m. and 6 a.m., as learners in glass works, provided that they may not be employed for more than 10 hours a day, and must have an uninterrupted rest of 11 hours; the employment of young persons of 14 or over and of women between 7 p.m. and 6 a.m. may be permitted, by order, for the whole country or in particular Communes in specified trades or in specified processes, provided that the daily hours of work must not exceed 10 hours, or 10½ hours with a special Ministerial permit; in addition, permission may be given by order to employ women in herring-spitting up to 12 midnight between 1st October and 15th March, and up till 2 a.m. between 15th March and 1st June, provided that the daily hours of work do not exceed eight hours; in trades which are liable to a rush of work at particular seasons of the year, and also in extraordinary circumstances in general, the district Chief Inspector of Labour may exempt the employer from observing the rules as regards hours of work, but work may not be carried on, in any case, for more than 12 hours a day or 66 hours in seven consecutive days; in trades of such a nature that it is impossible to apply and secure a permit in due time, in particular cases the Minister may grant an exception of this kind for a period of one year, provided that use may not be made of such a permit on more than 24 days in the year altogether, nor on more than two consecutive days, and the hours of work may not exceed 11 a day or 66 on seven consecutive days, nor begin before 5 a.m. or be continued after 8 p.m.; in all cases where exceptions are allowed with regard to hours of work, the employment of young persons and women on two consecutive days must be divided by a night's rest of at least 11 hours, including the period from 10 p.m. to 5 a.m.

In the Parliamentary proceedings, neither the principle of prohibiting night-work, nor that of the 10-hour day for the protected classes, was contested. More far-reaching proposals were introduced by the Social-Democratic party (Schaper and others); of these the following were adopted:—(1) The cessation of work at 1 o'clock on Saturdays, not only for married women, but also for all women with households to attend to; (2) the addition of a paragraph providing that the employment of young persons and women after 1 p.m. on Saturdays may be prohibited for all or certain trades by order. A motion introduced by Mr. Wijkerslooth de Weerdesteyn formed a supplement to these Social-Democratic motions respecting the reduction of hours of work on Saturdays, namely, by introducing the provision that the working week should not exceed 58 hours. This rule prevents employers who are averse to

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the 10-hour day from making up for it by abandoning the free Saturday afternoon.\* An amendment introduced by Mr. Aalberse, which was likewise adopted, is of equal importance; this provides that the rule allowing the Minister to permit certain undertakings to work 10½ hours a day, with a view to the better organisation of hours of work, shall only have the character of a transitory provision, applying until 1915.—As regards the employment of young persons in glass works, which the Social-Democrats wished to see prohibited, one of the signatories to the motion for deletion, Mr. Vliegen (Shorthand Report, p. 1875), remarked that it struck one as peculiar that, whilst the Labour Act of 1889 had actually prohibited the night-work of protected persons in glass works, yet exceptions had been allowed for 20 years (see the Decrees of 9th December, 1899, 12th July, 1909, Text E.B. V., p. 135, No. 23; 27th July, 1910, Text E.B. VI., p. 92, No. 17), and that the amended Bill was even more reactionary than the original one, which would at least have permitted this employment only as a transitory measure until 1917. Night-work, as appeared from the petition of the glass workers and earthenware makers, was not necessary for industrial training; also, according to the information of the Government, only 5 per cent. of the young persons employed remained in the trade; parents were becoming less and less inclined to put their children into this trade; the factories at Delft and Schiedam were obliged to bring their young workers from the slums of Rotterdam and The Hague. As regards the arrangement of shifts, reference should be made to the Danish conditions, where, according to a publication of the Danish Glass Workers' Union, work is carried on in two shifts, so arranged that young persons under 18 work in the first shift from 6 a.m. until 1 p.m., and in the second shift from 1.15 p.m. to 8 p.m., so that the adult bottlemakers have to work two hours alone. In reply to this the Minister Talma drew attention to the fact that Denmark allows night-work quite generally for the purpose of the industrial training of specified persons and that the proposed regulation contemplated exclusively actual apprentices in glass works (at the present time 47 in the five largest factories); the employment of young assistants for other purposes than training would consequently cease; certainly technical difficulties deserved consideration. On the vote being taken the Social-Democratic motion for the complete prohibition of the night-work of young persons in glass-blowing works was adopted by 38 votes to 31.†

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\* The Minister Talma made the following statement as regards the Saturday afternoon holiday in regard to the Dutch Textile Industry (Shorthand Report, p. 1895):—"In 60 textile factories at Twente 24,623 persons are employed; out of these, 11,300 are protected persons and 13,323 unprotected; 1,488 protected persons and 1,589 unprotected persons work, as a rule, at least in summer, 10 hours or less, and 9,812 or 11,734 more than 10 hours. Of the first-named 3,077 who work 10 hours or less, 910, or 29 per cent., have a Saturday half-holiday in summer, and 141, or 4.06 per cent. in winter. Of the 21,546 who work more than 10 hours, 13,143, or 61 per cent., have a Saturday half-holiday in summer and 11,878, or 55 per cent., in winter. A perusal of these figures shows immediately that there is a definite relation between the Saturday half-holiday and longer hours of work on other days."

† In the meantime, night-work was entirely abolished, at least experimentally, in the larger glass works, in the following circumstances. After the Labour Act came into force, on 1st January, 1912, the workmen applied to the manufacturers for the abolition of night-work. An interview led to no result. Similarly, the employers replied on 20th July, by a refusal, to an ultimatum addressed to them on the 14th July. Consequently, the workmen came out on strike on 22nd July, 1912. The strikers at Delft numbered 600. Soon Schiedam followed with 600, Leerdam with 200, Vlaardingen with 150, and Zwynrecht with 50, making 1,600 strikers altogether. Out of these, 1,200 were organised

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As regards breaks for rest, the Act provides that a period of employment exceeding six hours a day for young persons and women must be broken by a break of one hour if work ceases at 6 o'clock or earlier, or of  $1\frac{1}{2}$  hours if work is continued later, and that the district Chief Inspector of Labour may prescribe that an additional break not exceeding half-an-hour must be allowed; during the breaks, the protected persons are not allowed to remain in the workrooms. The Minister may allow exceptions to this provision. On Sundays, young persons and women may not be employed either in factories and workshops or by the same undertaking outside the factory premises; members of a religious denomination which does not celebrate Sunday must be allowed a holiday at their request on their own festival. Exceptions to the rule respecting Sunday rest are allowed, subject to conditions to be laid down by order, in the case of work in butter and cheese factories, and also, with the permission of the inspector, in maintaining and cleaning steam boilers. A new exception for florists' businesses contemplated in the Bill was deleted; the employment of women in factories and workshops for one month after confinement is prohibited. A Social-Democratic proposal to double this period of rest was rejected. A new Section was adopted requiring the employer to allow young persons employed in his factory or workshop the opportunity, after 5 p.m., of attending religious, continuation, or trade classes; nevertheless, the Minister may allow exceptions for certain undertakings or for a specified period.

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in the modern Glass Workers' Union, 50 in the Christian Association, 20 in a Syndicalist organisation, and 20 in an independent local organisation.

On 1st October a conciliation committee was established in Delft, consisting of three persons—two professors of the Delft Technical High School and a manufacturer. This committee entered into communication with the parties to the dispute, and the following agreement was reached (see *Correspondenzblatt der Generalkommission der Gewerkschaften Deutschlands*, 1913, p. 61):

(1) The strikers are ready to resume work with all the firms. The workmen's organisation undertakes to do everything possible to induce the workmen who have already left the district to come back to their work. No workman shall be excluded.

(2) An experiment shall be undertaken to see whether it is possible to abolish night-work in the bottle industry without reducing production. Work between 10 p.m. and 5 a.m. shall count as night-work. This experiment shall be tried in three of the largest factories in Schiedam and Delft. It shall begin on 4th November, 1912, and last twelve months. But if, in the opinion of the committee, it is clear at the conclusion of six months that the loss to the industry would be too great, the experiment shall be ended at the end of six months.

(3) In order to judge of the experiment, comparisons shall be made with the production in the same periods of the years 1911 and 1910.

(4) Wages and bonuses shall remain unaltered during the experiment.

If it appears from the experiment that, although production remains the same or increases, economies are effected in wages—e.g. by less wages being paid to emergency workers in case of illness amongst the regular workers—the committee shall be consulted as to the manner in which the workmen can benefit from these economies in wages.

(5) The parties to the dispute submit themselves unconditionally to the decisions of the conciliation committee. If the experiment has good results, night-work will not be definitely abolished until this abolition has been sanctioned by all Dutch bottle factories. The employers undertake to support the attempts of the workmen to induce unwilling manufacturers to abolish night-work in this case.

(6) The manufacturers concerned will put all their statistics of production at the disposal of the committee. The material in question concerning production will also be submitted, for checking purposes, to the workmen's representatives, and must be signed by them as a proof of agreement.

(7) The committee will consist of the same gentlemen as drew up this agreement. The committee has the right to do everything that it may consider necessary.

## XI.

The employer may only employ young persons and married women who are in possession of a labour ticket. In the case of persons under 17, other than married women, this rule only applies to dangerous occupations, to which they are only admitted subject to certain conditions laid down by order. The labour ticket must contain the name and date of birth, and in the case of young persons under 17, also the name and address of the head of their family or guardian of the establishment where they live; in the case of married women, instead of the latter particulars, the ticket must give information respecting the address, marriage, husband, and confinements. The model labour ticket is drawn up by the Minister; the tickets are supplied free of charge by the Mayor of the Commune of residence. No tickets may be issued to persons under 12, or still liable to attend school. On the conclusion of the employment the employer must hand the labour ticket to the workman without delay. The employer has, in addition, to see that a labour list is posted up, in a conspicuous and easily accessible place, in every factory or workshop in which young persons, women or more than nine male persons aged 17 years or over are employed, and that a labour register is kept. The labour list must give, for all persons employed, the beginning and end of the daily hours of work and breaks, the weekly day of rest and the address of the district Chief Inspector. Unless a legal exemption is posted up by the labour list, young persons and women may only be employed at the hours named on the list, but other workers may be employed in deviation from the list; the employer is obliged to keep an exact register of these deviations, and to report to the district Chief Inspector of Labour at definite intervals; a copy of the labour list must be sent to the district Chief Inspector of Labour at latest on the day when it comes into force, and copies or extracts must be posted up in all workrooms where they can be easily read. The inspectors are empowered to inspect the lists and to make notes on them respecting the observance of the legal provisions. The labour register is a list of all persons employed in a factory or workshop, and must contain, at the same time, the arrangements provided in the labour list for each person. It must be produced on the demand of the inspectors. Finally, the Act contains provisions respecting inspection, and also penal and transitory provisions. A new provision is one which requires every medical man to notify the industrial diseases treated by him, a list of which is to be drawn up by order.

The Act came into force on the 1st January, 1912, in pursuance of a Decree dated 6th December, 1911 (Text E.B. VII., p. 59, No. 13).

Six Decrees, dated 6th December, 1911, contain Regulations in pursuance of §§5, 6, paragraph 7 (a), 6, paragraph 7 (b), 8, paragraph 1, 13, paragraph 9, and 21 of the Labour Act of 1911:—

(i.) Decree of 6th December, 1911 (Staatsblad No. 352, Text E.B. VII., p. 60, No. 14), in pursuance of §5 of the Labour Act of 1911 (this Decree takes the place of the Decree of 10th August, 1909, Staatsblad No. 290, Text E.B. V., p. 392, as amended by the Decree of 6th February, 1911; Staatsblad No. 47, Title E.B. VII., p. 37, No. 1). The Section in question reads as follows:—

“(1) By general administrative regulations it shall be provided that certain specified kinds of work, or work under certain specified circumstances, shall not be carried out by persons under 18 years of age, and in factories and workplaces by female persons of 18 years or older, on the ground of danger to health, to morals, or to life, or shall only be carried out subject to the conditions laid down in the said General Regulations.

(2) A provision such as referred to in Sub-section (1) may be limited to persons under 18 years of age, to female persons 18 years old or upwards, or to a portion of such groups of persons.”



## XII.

The new Decree is divided into four chapters :

I. Prohibition of employment, in or outside factories and workshops, of young persons ; II. Prohibition of work in factories and workshops ; III. Appeals ; IV. Final provisions.—Chapter I. provides that young persons (defined in the Decree as persons under 17 years of age, with the exception of those who were already 16 years of age when the Decree came into force) shall not convey loads obviously exceeding their powers, that they shall not carry out any dangerous performances, and that they shall not be employed in electrical works, and not between 9 p.m. and 5 a.m. in street trading, or on enclosed premises where briquettes are manufactured. Persons under 18 may not be employed in the manufacture of explosives, or persons under 16 in sorting soiled linen and rags. Persons under 15 may not be employed in excavation work (cesspools, etc.), in charge of winches or cranes, in certain processes in the peat industry (pushing loaded barrows, treading and mixing peat substances), and in occupations other than those paid by time. Persons under 14 may not be employed in certain occupations in the building trade, in which they are exposed to the risk of falling more than 4 metres ; in addition, they are not allowed to take part in certain processes in stone-cutting work, or in running errands between 9 p.m. and 7 a.m. Young persons may not, in the absence of certain precautionary measures, be employed on scaffolding, in the proximity of bare high power conductors, in the capacity of mechanic or stoker, in windmills and in small enclosed places where there is a risk of dangerous fumes (tanks, false-bottoms, etc.).—Chapter II. is divided into four parts : In Parts 1 and 2 the processes are specified in which the employment of young persons and women in factories and workshops is prohibited in general, either unconditionally or only permitted subject to certain conditions laid down by order ; *inter alia*, women (including women aged 17 and upwards, and also women who were already 16 years of age on the coming into force of the Decree) may not convey loads which obviously exceed their powers, or which are liable to injure their health for any other reason. In Parts 3 and 4 the Decree contains regulations respecting the employment of young persons and women in tile works, etc., including brick works and similar factories and in pottery works where lead or lead compounds are used. Chapter III. contains provisions respecting appeal from the instructions and decisions of the inspectors, and Chapter IV. contains concluding provisions respecting exemptions from the provisions of the Decree.

(ii.) Decree of 6th December, 1911 (Staatsblad No. 353, Text E.B. VII., p. 81, No. 15), in pursuance of §6, paragraph 7 (a), of the Labour Act of 1911. (This Decree replaces the Decree of 12th July, 1909 ; Staatsblad No. 266, Text E.B. V., p. 135, No. 23, as amended by the Decree of 17th July, 1911 ; Staatsblad No. 205, Title E.B. VII., p. 37, No. 5). The paragraph in question reads as follows :

“ General administrative regulations may grant to all or to several parishes under the conditions laid down in the present regulation, that in factories and workplaces young persons of 14 years of age and upwards, and, subject to the stipulations of the second Sub-section, women, may do in or for certain industries, certain specified kinds of work, or work under certain specified conditions, between 7 in the evening and 6 in the morning : provided they do not work for more than 58 hours per week and not longer than 10 hours per day, or, by virtue of a concession from the Minister who is entrusted with the execution of the present Act, not more than 10½ hours per day.”

The new Decree contains, in this sense, special regulations for anchovy salting works, confectionery businesses and cook-shops, plaice-fishing, oak-bark peeling and osier peeling, shrimp-peeling factories, glass factories, clog

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factories, places where women are employed in sewing, embroidering, millinery, or preparing women's fancy work, brickworks, peat works, factories for the manufacture of preserves, fish-smoking, etc. ; and trades carried on in establishments exclusively driven by wind or water power. In all these cases the rule applies that the work of women and young persons must be interrupted by the breaks for rest prescribed by law or order (§7 of the Act), unless the Minister for Agriculture grants a dispensation from the Section in question. The Decree further provides that women aged 23 years or upwards may be employed between the hours of 7 and 10 p.m. in cleaning operations in undertakings where the work is of such a nature that the cleaning of the apparatus and workrooms during working hours is difficult for technical reasons, provided that they are not employed in any other way in the undertaking. The exceptions cease to apply immediately, if arrangements are not made to ensure to the workers or women an uninterrupted night's rest of at least 11 hours between two working days.

(iii.) Decree of 6th December, 1911 (Staatsblad No. 354, Text E.B. VII., p. 84, No. 16), in pursuance of §6, paragraph 7 (b), of the Labour Act of 1911. (This Decree replaces the Decree of 14th February, 1910, Staatsblad No. 64, Text E.B. VI., p. 88, No. 14.) The paragraph in question reads as follows :

"General administrative regulations may grant to one or to several parishes, under the conditions laid down in the present regulation, that women may spit herrings during the period between 1st October and 15th March up to at latest 12 o'clock midnight, and from 15th March to 1st June up to at latest 2 o'clock in the morning, on this understanding—that the hours during which the said work is carried on shall not amount to more than eight hours per day. The work done between midnight and 2 o'clock in the morning shall be considered to have been done on the previous day."

The new order provides, *inter alia*, that women employed in spitting herrings after 10 p.m. must be allowed at least half-an-hour's break after every four hours' work, and an uninterrupted rest of at least seven hours on the conclusion of their work. Women in an advanced state of pregnancy may not work at herring-spitting after 10 p.m. Every woman employed after 10 p.m. must carry with her a medical certificate stating that her health will not be injured by such work. A coupon system enables the authorities to enforce the regulations. The wages of women herring-spitters must be increased by at least 0.10 fl. per hour for work carried on between 10 p.m. and 2 a.m. The manager of an undertaking where herrings are spitted after 10 p.m. must keep a special register of the wages paid to the women in his employment.

(iv.) The Decree of 6th December, 1911 (Staatsblad No. 355, Text E.B. VII., p. 87, No. 17), in pursuance of §8, paragraph 1, of the Labour Act of 1911. (This Decree replaces the Decree of 27th March, 1897, Staatsblad No. 78.) The paragraph in question reads as follows :

"Young persons and women may not work in factories and workplaces on Sunday. This prohibition shall not apply to the various operations of women in butter and cheese factories, which are specified in the general administrative regulations, provided that those stipulations are observed which have been laid down for all or for some parishes in the said general administrative regulations."

The new Decree specifies for this purpose the following operations :—Churning, butter-washing, butter-salting, butter-kneading, the stirring of milk in the cheese-trough, the moulding, etc., of the cheese, and the cleaning of articles used in the work ; and lays down the detailed conditions under which Sunday work is permitted.

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(v.) Decree of 6th December, 1911 (Staatsblad No. 356, Text E.B. VII., p. 88, No. 18), in pursuance of §13, paragraph 9, of the Labour Act of 1911, which reads as follows :

"By general administrative regulation, under the conditions stipulated in the said regulation, exemption in whole or in part may be granted for definite industries, in reference to the provisions of the second and third Sub-sections of the present Section " (respecting the contents of the labour list).

The Decree exempts the employers in a large number of trade groups from the duty of stating in the list the hours of beginning and ceasing work and the breaks allowed between these hours, subject to the condition that the list must give the number of hours of work per week.

(vi.) Decree of 6th December, 1911 (Staatsblad No. 357, Text E.B. VII., p. 91, No. 19), in pursuance of §21 of the Labour Act of 1911, which reads as follows :

"Every medical man shall be bound to report to Our Minister entrusted with the execution of the present Act, or to an official appointed by the said Minister, in writing, any cases of certain illnesses, specified by general administrative regulation, which he has been called upon to treat. The general regulation may, with respect to all or some of the said illnesses, limit the obligation to report thereon to such cases in which the patient is working in certain specified industries, named in the general administrative regulation, or has been at work within a specified period before the commencement of the said medical treatment. The general administrative regulation shall lay down, in detail, the manner in which the obligations specified in the preceding Sub-section must be carried out, and may fix a money compensation for drawing up the said report."

Without further conditions, the Decree makes the following diseases compulsorily notifiable :—Aniline-poisoning, ankylostomiasis, anthrax, arsenic-hydrogenous poisoning, benzine or benzol poisoning, caisson disease, chronic poisoning, cyanide poisoning, carbonic-oxide poisoning, lead-poisoning, glanders, nitro- and di-nitro-benzol poisoning, poisoning by nitrous fumes, carbon disulphide and sulphuretted hydrogen. As regards the other diseases, the period within which the person must have been employed previously to the notification varies according to the nature of the employment from six days to five years.

*NEW SOUTH WALES.* The Factory Act of New South Wales, dated 16th November, 1896, was amended for the first time by the Act of 24th December, 1908 (Text E.B. IV., p. 18), and more recently by the Act of 29th December, 1909 (Text E.B. VII., p. 181, No. 4). A consolidated edition appeared in 1909 (Text E.B. VII., p. 165). The principal objects of the amending Act of 1909, apart from that of making good small defects which had appeared in the course of years, were :—(1) The prohibition of the night-work of women in accordance with the Berne Convention, 1906 ; and (2) the regulation of the work of Asiatics.

Hitherto the night-work of women over 18 years of age had been allowed without limitation, since §40 of the Act of 1896 only subjected male young persons under 16 and female persons under 18 years of age to the prohibition of night-work (7 p.m. to 6 a.m.). The new Government Bill extended the prohibition to all women, and the Legislative Council, which, as well as the Legislative Assembly, accepted this provision without opposition, adopted in the course of the debates, in addition, a supplementary proposal made by the Government, namely, to make the "night" begin at 6 p.m. instead of 7 p.m. (*i.e.*, from 6 p.m. to 6 a.m. ; *cf.* §15 of the amended Act, §40 of the Consolidated Act).

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As regards the work of Asiatics, the Bill endeavoured to bring about the better supervision of their employment in industry. The Minister of Education (Mr. Hogue) made the following statement on the matter at the second reading on 23rd September, 1909, in the Legislative Assembly (Parliamentary Debates, 1909, p. 2298) :—

“ With regard to the employment of Asiatic labour in factories, it is recognised that Asiatics very frequently compete in a very undesirable and very unfair way with our own people, and that the conditions under which they carry on their operations are of the most unfavourable character, so far as sanitation is concerned. It is not only difficult, but impossible, under present conditions, to enforce proper sanitary conditions, and to secure also full compliance with the law. Under the Bill, it is proposed to provide for inspection of such a character that it will be impossible for Chinese to be employed in any factory before the hour of half-past 7 in the morning or after 5 o'clock in the evening. Ample powers of inspection will be given to prevent Asiatics from surreptitiously working at any prohibited hour. I have used the term ‘ Asiatics ’ in the Bill, because I consider it is more comprehensive than the term ‘ Chinese ’ used in the present Act. No overtime is to be allowed to Asiatics. In some cases the Chinese work in what are practically private houses, or they sleep in the factories. That will be prevented. The Bill will make it competent for an inspector to demand an entry into any place where the employees of a factory are housed. If there be any noise going on in any place during prohibited hours, where it is suspected that factory work is being carried on, any police officer or inspector under the Bill will have ample power to enter the place ; and if he is refused entry, the fact will be regarded as *prima facie* evidence that the ordinary work of the factory was going on.”

Several members considered that the Government proposals did not go far enough. The absence was noted of any express prohibition of Chinese remaining in factories through the night, on the lines of §11 of a determination of the Furniture Trades Wages Board, which had just been issued ; in addition, a provision corresponding to §67 of the Victorian Act of 6th October, 1905 (Text E.B. II., p. 38, No. 1), was demanded, providing that, in the interests of the purchasers, all furniture made by Chinese cabinetmakers should be stamped as of Chinese origin ; furniture manufactured in Victoria and duly stamped was even often imported into New South Wales, where the Chinese stamp was removed by white workmen and the articles in question sold as European-made. In addition, while recognising the difficulties of regulation, it was objected that the Bill made no attempt to deal with the Chinese makers of underclothing who caused work to be carried on at night by women home-workers, and even by white women. The Section authorising the inspectors to intervene on hearing suspicious noises was alleged to be ineffective, because many operations in the furniture trade (planing, polishing, etc.), and many trades in general, such as tailoring, involved no noise. In the course of the debates, the prohibition of sleeping in workplaces was adopted on the motion of Mr. Stuart Robertson in a form drafted by the Minister, in conformity with the Victorian Act. A motion moved by Mr. Hollis to introduce the stamping of furniture, could not be accepted for discussion under the rules of procedure. The new Section (§28 of the amending Act, §42A, of the consolidation) accordingly prohibits any person from working or from employing a worker on the first five weekdays before 7.30 a.m. or after 6 p.m., and on Saturdays after 1 p.m., and on Sundays at any time, in factories in which any Chinese person works, and in other factories in which any persons are engaged on the preparation or manufacture of furniture, and prohibits the use of any part of a factory as a sleeping place ; it was necessary to substitute in all cases the expression “ Asiatic ” by “ Chinese,” since otherwise, according to a communication of the Home Office, it was doubtful whether the Royal Assent would be given to the Act. Contraventions are punished by a fine (not exceeding £10 for each day on which a contravention occurs, and not exceeding £25 in case of a repeated offence)

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and by loss of registration. The contravention is held to be proved if at a prohibited time sounds of work are heard emanating from the factory, and if the inspector or the police officer is not given immediate admission. The Minister may allow overtime to be worked for a period not exceeding two months. An attempt was made to strengthen the control of Chinese workers, also by altering the definition of "factory." The principal Act of 1896, in §2, defined as "factory": (a) any office, building or place in which four or more persons are engaged directly or indirectly in working at any handicraft, or in preparing or manufacturing articles for trade or sale; and includes bake-houses, laundries and dye-works in which four or more persons are engaged; but does not include any building or place in which the persons engaged in working are shown to the satisfaction of the Minister to be all members of one family, and in which steam or other mechanical power is not used; (b) any office, building or place in which Chinese are so engaged; and (c) any place or building where steam or other mechanical power or appliance is used in manufacturing goods or packing them for transit.

Paragraph (b) had been generally interpreted, even by the Courts, to mean that at least two Chinese persons must be employed before an establishment could be subjected to the Factory Act. But this interpretation had prevented the Act from being effectively enforced, because the Chinese, even when as many as 20 were working in a furniture workshop, always asserted to the inspector visiting the place that they were working on their own account. In order to prevent such evasions and also in order to strengthen the hygienic control of Chinese workplaces (concealment of plague), the amending Act alters (b) of the definition of "factory" by providing that all places shall be counted as factories in which one or more Chinese persons work. The fear that this strict definition might expose even private persons with Chinese servants to visits from the inspectors, was removed by reference to the wording of (a), in which industrial work and work for purposes of trade or sale is expressly specified.

Of the other innovations introduced by the Act, we may mention the following:—The definition of bakehouses (§2 of the amending Act, §2 of the Consolidated Act) is not confined merely to the actual bakehouses, but includes, for reasons of hygiene, also rooms for storing bread and materials used in the manufacture. In addition, by deleting the word "bakehouses" in the definition of "factory" [under (a)], all bakehouses, even those with less than four workers, were subjected to inspection and to the provisions of the Factory Act. A further provision (§§3 and 4 of the amending Act; §§6, 6A and 6B of the Consolidated Act) has the object of making the use of unfit places as factories impossible. According to the former legislation, every person applying for registration had to be registered without regard to the structural conditions of the rooms in which he wished to employ workers. The new Section gives the department authority to refuse registration, if the building to be registered is unfit, and also to require the removal of structural defects. §6 of the amending Act (§12 of the Consolidated Act) lays upon the occupier of a factory or shop the duty of keeping a record of all workers under 21 years of age (under 18, in §12 of the principal Act). In the new §8 of the amending Act [§24A of the Consolidated Act] it is provided that, in certain cases, if the Minister so orders, special dressing-rooms must be provided for women employees. §9 of the amending Act (§§25, 25A, and 25B of the Consolidated Act) strengthens the provisions against the spreading of infectious diseases

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especially in the clothing trades; *inter alia*, not only the workrooms themselves, but all premises in which employees are lodged in connection with any factory may be inspected by the inspector. New and stronger requirements as regards emergency exits and outside fire-escapes are contained in §12 of the amending Act (§34 of the Consolidated Act). Under §13 of the amending Act [§35A of the Consolidated Act] the Minister may, by order, prohibit the employment of male young persons under 16 and of women in specified dangerous work.

The administrative regulations issued in pursuance of the Factories and Shops Act No. 37 of 1896, and the Factories and Shops Amending Act, No. 28 of 1909, on June 24th, 1910, were published in the Government Gazette, No. 103 of 29th June, 1910.

**SASKATCHEWAN.** To the six Canadian Provinces which already possess Factory Acts\*, Saskatchewan was added by the Act of the 18th December, 1909 (Text E.B. VII., p. 263). Factories, within the meaning of the Act, are all concerns enumerated in the Schedule or added thereto by the Lieutenant-Governor by proclamation, as well as concerns driven by mechanical power, and other premises where manual labour is exercised by way of trade, provided that places with less than five workers, and home industries in which no mechanical power is used, do not come under the Act. The employment of children (*i.e.*, persons under the age of 14) is prohibited. The Lieutenant-Governor may prohibit by order the employment of youths (*i.e.*, male persons above the age of 14 but under 18 years of age) and young girls (*i.e.*, female persons above the age of 14 but under 18 years of age) in factories where the work is either dangerous or unwholesome; moreover, all employment of youths, young girls and women (*i.e.*, female persons above 18 years of age) which is likely to cause permanent injury to health, is generally prohibited. The working hours of the protected persons may not exceed eight hours per day and 45 hours per week; the working day may not be prolonged beyond 6.30 p.m., unless a special permit in writing has been obtained from the inspector, and work must be interrupted by a midday rest of one hour. In the event of breakdowns or if "the customs or exigencies of certain trades require," the inspector may permit overtime on not more than 36 days in the year, provided that the employment of the protected classes must be restricted to the period from 7 a.m. to 10 p.m., that the working hours must not be more than 12½ hours a day and 72½ hours a week, that an interval for an evening meal must be granted, and that the extent and details of the exemption must be notified to the workers by a notice affixed in the factory; the owner of a factory must keep an overtime register. A series of dangerous operations in engine-rooms and near machinery are prohibited to young girls. Detailed provisions require the owner of a factory to make provision for sanitation and safety (closets, drinking water, heating, removal of gas, vapours and dust, air-space of 300 cb. ft., sleeping places, fencing of dangerous machinery, etc., hoists, life-saving

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(\*) *Quebec*, Act of 1888, amended on 4th June, 1910 and on the 14th March, 1912; *Ontario*, Act of 1887, amended on 26th April, 1904, and on 14th April, 1908 (Text E.B. III., p. 165, No. 2); *Manitoba*, Act of the 5th July, 1900, amended on 8th February, 1904; *Nova Scotia*, Act of 4th April, 1901, amended on 23rd April, 1909 (Text E.B. V., p. 250, No. 3); *New Brunswick*, Act of the 8th April, 1905, amended on the 29th April, 1909 (Text E.B. IV., p. 312) and on the 13th April, 1911\*; *British Columbia*, Act of the 27th March, 1908, amended on the 25th February, 1910\*. (The Acts marked with an asterisk will be published in a subsequent volume of the *Bulletin*.)

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apparatus and emergency exits). Fatal accidents, and those involving disablement for more than six days, must be notified in writing. The inspectors are appointed by the Governor. They are entitled to enter any factory at any reasonable time during the day or night, to require the production of the prescribed registers, etc., and to examine the persons present. The employer must affix, for the instruction of the workers, a notice respecting the provisions of this Act and various other notices (including the register of the hours of employment of youths, young girls and women). The Act also contains penal provisions.

The comparative table appended shows the chief provisions of all the Factory and Workshop Acts of the Canadian Provinces, as existing in 1912.

**SOUTH AUSTRALIA.** The Consolidated Factory Act of 21st December, 1907 (Text E.B. IV., p. 230), in pursuance of which regulations were issued on 30th September, 1908 (Title E.B. VII., p. 348, No. 2), and which had already been amended by the Act of 23rd December, 1908 (Text E.B. V., p. 258) in some minor points, was amended again in many further details in which it was found to need improvement, and was extended to a certain degree by the amending Act of 7th December, 1910 (Text E.B. VII., p. 126).

The most important innovation in the Act is the removal of the "reputable employers" clause—that is to say, the provision contained in §95 of the principal Act to the effect that the wages boards should take as the basis of their determinations for minimum rates of wages the average rates paid by "reputable employers" to employees of average capacity. Since the definition of the expression "reputable employers" caused the wages boards great difficulties, they calculated the minimum wages, in general, simply on the basis of the average wage paid in the industry in question. But under this method of calculation, the small employers who mostly paid the worst wages were given too great weight. The determinations of the wages boards were consequently sometimes found to involve reductions instead of increases in wages, and the result was friction between employers and workers and appeals to the Industrial Court of Appeal (*e.g.*, in the case of the brushmakers' board). The experience had been the same in Victoria (*cf.* the case of the soap and candle board), and consequently there also the provision respecting reputable employers had been deleted, in the amending Act of 23rd December, 1907 (Text E.B. IV., p. 104). The South Australian Bill proposed to do likewise. The House of Assembly approved the deletion. But in the Upper House, the Legislative Council, the Conservatives restored the old wording, and declared that the employers were of opinion that the wages boards ought to have a basis for the determination of wages. As, however, the Government expressed a firm determination to let the Bill go rather than give up this amendment, the Legislative Council also, in the end, passed the Government proposal.

§95 as amended by §21 of the amending Act now reads as follows :

"(1) The board, for the purpose of determining the lowest price or rates of payment which may be paid, shall take such evidence as it deems sufficient, including evidence of any determination of a similar board in the State of Victoria, and shall take into consideration : (a) the nature, kind and class of the work ; (b) the mode and manner in which the work is to be done ; (c) the age and sex of the workers and, in addition, as regards apprentices and improvers, their experience at a process of the trade, business, occupation or calling ; and (d) any matter prescribed.

(2) The board shall ascertain what prices or rates are fair and reasonable as the lowest prices or rates to be paid, taking into consideration the evidence and the matters and things mentioned in Sub-section (1) hereof, and shall make their determination accordingly."

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The removal of the "reputable employers" clause resulted in a corresponding amendment of §96 of the principal Act (§22 of the amending Act). This Section provided that the Court of Industrial Appeal must undertake the determination of wages, if the wages board could come to no conclusion on the basis of the wages paid by reputable employers. In future, provision is made for all cases in which the board fails to exercise its functions.

A further very contentious question—in connection with which the proposal (which was, however, rejected) was even made, to render the extension of the sphere of operation of the Act entirely independent of the Upper House—was that of the extension of the determinations of wages boards to country districts. The principal Act provides in §4 that the Factory Act only applies to the metropolitan area, and that its application can only be extended to other districts, whether the whole or any part of the Act is in question, by means of a proclamation and with the sanction of both Houses of Parliament. This provision overruled Sub-section (2) of §105, which provided for the extension of a wages board determination, and with it also the corresponding legal provisions, by means of a Government Order. The Opposition were against this overlapping of powers (Parliament and administrative authorities), in the first place for material reasons, because they feared that, under Sub-section (2) of §105, the wages determinations, calculated originally for town conditions, might be extended quite mechanically to country districts, where the cost of living was much lower, and also, on principle, because they could not approve of any measure of the executive removing the competence of Parliament to limit the sphere of operation of the Act. They introduced a series of amendments on the matter, to which the Government was not opposed in principle. Finally, the provisions in question [those of §4 (5) and §105 (2)] were deleted, and a Section adopted (§50 of the amending Act) providing that both Houses of Parliament could resolve upon the appointment of wages boards for certain trades, even in districts outside the Metropolis, and that a resolution of this kind should also have the effect of applying certain parts of the factory legislation to the district in question.

In addition to the amendments mentioned above, the following are important: the definition of factory (principal Act, §6; amending Act, §4) is brought into conformity with the Victorian Act of 6th October, 1905 (Text E.B. II., p. 38), by adding clay pits and quarries worked in connection with any pottery or brickyard, and with the Victorian Act of 4th January, 1910 (Text E.B. VII., p. 148), by adding electricity works and gas works. The Government Bill and the Lower House wished, in addition, to subject dentists' laboratories to the Factory Act since, in accordance with a report of the Chief Inspector of Factories, very unhealthy conditions prevailed in the 29 work shops of this kind employing 31 men, 27 boys and young persons, and 4 women. But the Upper House yielded to a petition of the dentists, and expressly excluded medical, dentists', and chemists' laboratories from the application of the Factory Act. §§5 and 6 of the amending Act alter the definitions of "apprentices" and "improvers." Formerly (§6 of the principal Act), any young worker under 21 years of age who was not an apprentice, was held to be an improver, so that when a wages board fixed minimum rates for improvers, even 14-year-old boys could claim them. The new provision expressly requires that the improver must actually work as such. The new definition of "apprentice" makes it possible to count in the legal term of apprenticeship (three years) any time already spent in practical work in the trade, and also to conclude contracts of apprenticeship for a term beginning before a person



is 20 years of age and continuing until he is 21 years of age, *i.e.*, for a term of less than three years.—The provisions of the principal Act respecting exhaust ventilation and fencing of machinery (§§43 and 46) are strengthened by §§12 and 13 of the amending Act.—§10 of the amending Act requires that one closet shall be provided for every 20 persons employed.—In addition, the duty of lime-washing bakehouses is extended to country districts (§41 of the principal Act, amended by §11 of the amending Act).—§14 of the amending Act brings §49 of the principal Act into conformity with the Lifts Regulation Act of 11th November, 1908 (Title E.B. VII., p. 348, No. 3), by prohibiting the employment of persons as lift attendants under the age of 16 years (Factory Act of 1907, 18 years).—As regards the hours of work of women, children, and young persons, §65 of the principal Act limited their employment to 48 hours a week and 10 hours a day, and prohibited work after 9 p.m., but it allowed exceptions from all three provisions, in order to meet unforeseen press of work. §16 of the amending Act now only allows the weekly hours to be exceeded, whilst the 10-hour day and 9 o'clock closing must be observed in all circumstances. The Opposition, on the debate on this Section, pointed out that, if the establishment of a wages board for clerks was resolved upon at the same time as this amendment, as was proposed in the Bill (see below), there would be a danger that women employees might be driven from their occupation by the competition of men not affected by the prohibition of night-work.—A further amendment concerns compulsory living-in. §71 of the principal Act prohibited the occupier of an establishment and the members of his family from lodging and boarding adult persons in his service whose wages were fixed by a wages board. The new provision (§17 of the amending Act) extends this prohibition quite generally to the "employer," and at the same time removes most of the exceptions; exceptions now exist only as regards hotels, etc. (in view of a wages board which is expected to be established for hotel, club, and lodging-house employees), restaurants, fish-shops, and chemists' shops.—Some very important extensions of the power of wages boards were contained in §20 of the Government Bill (§93 of the principal Act). It was here proposed to give the boards the following new powers: (a) to fix the maximum or proportional number of apprentices who might be employed in an establishment; (b) to fix payment for overtime for children, young persons, and women in the case of work not carried on in the factory; (c) to fix the beginning and the end of the hours of work, so that work performed before or after these times should be regarded as overtime; (d) to fix special rates of wages without regard to overtime for work before 6 a.m. or after 6 p.m., or for work on Sundays and holidays, on the lines of the Victorian Act (§2) of 4th January, 1910 (Text E.B. VII., p. 148). But the powers named under (a), (c), and (d) were deleted in the Legislative Council. As regards point (a), the opponents urged the prevailing dearth of skilled workers and the danger of industrial migration to the Eastern States, in reply to which the Minister emphasised the fact that the Eastern States themselves, as also Great Britain and America, had similar provisions to prevent the abuse of apprentices. As regards (c), the Government drew attention to the fact that, without some such provision, no overtime claim could be raised until the weekly maximum had been reached, regardless of how long work was carried on on one day; nevertheless, the opposition wished to leave employers the power to fix the hours of work according to the needs of trade. The extension proposed under (b) was declared unnecessary, because §93 (iv.) already provided for overtime payment for workers over 16.—§24 of the amending Act creates a new class of workers, the "inexperienced,"

who may be allowed by the Chief Inspector to work for less than the wage fixed by the board, in the same way as the "aged, slow, and infirm workers" (§103 of the principal Act). The object of this provision is the following: the authority of the chairman of the wages board to give certain persons permission to work as improvers (an "improver" is a person who is not an apprentice and who is, nevertheless, not over 21 years of age, or a person over 21 years of age who may be paid as an improver, *i.e.*, less than an adult worker, by permission of the chairman of the board) had proved from the first a disturbing element in enforcing the Act. Since the post of chairman was frequently vacant, applications for permits were not dealt with; on the other hand, the chairman himself could not fix the amount of the wage, so that it happened that the employers paid the adult possessors of permits to work as improvers children's wages, as low as 4s. a week. This abuse is removed by the new drafting of the Section.

In addition to amendments of the principal Act the Government introduced a series of new Sections, most of which were, however, rejected in the Legislative Council. The following were adopted:—The employer is required to state, in notices posted up, the times for starting and ceasing work and the intervals for meals (§38 of the Act), and to see (§39) that sufficient space round the machinery is kept clear (this applies specially to saw mills). Over-time is to be notified to the Chief Inspector in writing (§40 of the amending Act). In addition, there are detailed provisions respecting apprenticeship indentures (§§41-43) and for the protection of the workers' representatives on wages boards, and of workers appearing as witnesses or parties, from dismissal by the employer (§45). The provisions respecting the Saturday half-holiday were rejected (in view of the expected general regulation of this question by the Early Closing Bill, which had been announced), and also those respecting the creation of wages boards for the whole carriers' trade and for clerks. On the motion of Mr. Blundell, a rule (§48) was inserted on the lines of the provision of the Queensland Wages Board Act of 15th April, 1908 (Text E.B. III., p. 168), to the effect that a three-fifths majority of employers and workers in a trade which possesses no wages board may register collective agreements, and thus endow them with legal force.

**VICTORIA.** The factory and shops legislation of the Australian Colony, Victoria, was consolidated on 6th October, 1905. The text of this Consolidated Act was printed, together with the text of the amending Act of 12th December, 1905 (Act No. 2 of 1905, E.B. II., p. 38). Further amendments were adopted by the Act of 23rd December, 1907 (E.B. IV., p. 104, No. 2). In the years 1909-11 the Act was amended no less than four times, partly in very essential respects. These four Acts, described below, are:—(1) Act No. 2177, to provide for a half-holiday every Saturday in shops in the Metropolitan district, dated 2nd March, 1909 (Text E.B. VII., p. 392, No. 2); (2) The Act No. 2241, to amend the Factories and Shops Acts, dated 4th January, 1910 (Text E.B. VII., p. 148); (3) Act No. 2291, to further amend the Factories and Shops Acts with regard to apprentices and improvers, dated 4th January, 1911 (Text E.B. VII., p. 154); (4) Act No. 2305, to further amend the Factories and Shops Acts, dated 4th January, 1911 (Text E.B. VII., p. 156).

1. According to the original law, shop keepers were at liberty to choose between a Wednesday or a Saturday half-holiday. The Saturday Half-Holiday Act, No. 2177 of 1909, requires the shopkeepers in the Metropolitan

district to close on Saturday at 1 o'clock, but allows them, on the other hand, to remain open on Fridays until 10 p.m. Exceptions are allowed for chemists' shops, coffee-houses, confectioners, eating-houses, fish and oyster shops, fruit and vegetable shops, restaurants, tobacconists' shops, booksellers, news-agents' shops, and cooked-meat shops; and in (b) flower shops, bicycle shops, hairdressers', butchers' and bakers' shops. The Governor in Council may, by regulations, extend the rule respecting the Saturday half-holiday to the shops named under (b). On the other hand, at the wish of 50 more than half the number of all the shopkeepers, the Governor in Council may suspend the operation of the Act for a period of not less than six months, and not more than two years, by decree. The new provisions do not affect the remaining Sections of the principal Act respecting early closing, so that early-closing on Wednesday can be enforced as well as the Saturday half-holiday.

2. The amending Act No. 2241, dated 4th January, 1910, contains few essential modifications, except as regards one Section. This Section relates to the appointment of wages boards. According to the Victorian system the authority to appoint wages boards (in Victoria called special boards) had first to be given by law; the Government could only appoint a board within the terms of the Act, for which purpose the sanction of Parliament was also first required. This legislative sanction had been given by §75 of the principal Act only for (a) the manufacture of clothing or furniture, (b) bread-making, (c) any process carried on in a factory or workroom within the meaning of the Act, (d) butchers' businesses. §6 of the amending Act extends the scope of this provision to the following trades and workers: (a) electrical installations, (b) undertakers' businesses, (c) firemen, boiler attendants and engine drivers, (d) watch or clock makers, (e) lift attendants, (f) gold, coal and metallic ore miners. The Government Bill also covered livery stable-keepers, and the Legislative Assembly wished to include as well, nurserymen and gardeners, workers in wool, grain and hide warehouses, clerks, office assistants, typewriters, stenographers, amanuenses, bookkeepers, and tramway employees; the Legislative Council deleted all these classes. The Opposition (the Labour Party) in the Legislative Assembly took this opportunity of attempting to simplify the method of appointing boards by removing the legislative sanction which was required on each occasion. An amendment was moved by Mr. Solly to empower the Government to appoint a special board in pursuance of a resolution adopted by both Houses of Parliament for any trade or any part of a trade. In support of this motion, it was pointed out that Victoria was the only Australian State which required the cumbersome method of legislation for the appointment of wages boards. In Queensland and Western Australia the Minister, and in New South Wales the Court of Arbitration, had power to entertain applications for the appointment of wages boards; even Tasmania and South Australia merely required a resolution of both Houses of Parliament for the creation of a Board. The amendment was rejected by a majority of one vote. The idea behind the proposal was, however, carried out a year later, in the amending Act, No. 2305 of 4th January, 1911 (see under No. 4).

As regards the other amendments, the following may be mentioned\* in the order in which they appear in the Act.—§2 of the amending Act (§5 of the principal Act) extends the definition of a factory by including gas and electrical works.—§3 of the amending Act extends the powers of inspectors by giving them the right, in particular, of inspecting places even outside factories and workshops.—§4 of the amending Act [amending §63, Sub-section (1) of the principal Act] allows employment in dangerous trades to be prohibited

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in the case of young persons up to 18 years of age (formerly 16).—§75, Sub-section (2) of the principal Act provided that the special boards, in fixing the lowest prices or rates, should take into consideration the nature, kind and class of the work, the age and sex of the workers, and any other matters prescribed by order; §5 of the amending Act lays down further points which must be considered, the object of which is, above all, to avoid abuses in connection with overtime work. In addition, the special boards are given authority to fix special rates of wages for work done on Sundays or public holidays;—§7 takes into consideration the great differences of local conditions in mining, and consequently provides that for mining, several special boards may be appointed, instead of only one as in other trades;—§9 deals with the powers of the board to fix overtime rates, which is dealt with in detail in §90 of the principal Act. Where women and boys under 16 are employed in factories and workshops, wages for overtime were regulated in §40 of the principal Act. As, however, the wages board system had since been extended to commercial and other occupations outside factories, the powers of the boards as regards overtime needed to be extended. This was done by §9, which provides that the board may fix an overtime rate for all workers employed beyond the hours fixed by the board;—§§10 and 11 are concerned with the same point.—According to the original Act, an employer who failed to pay the legal wage was fined; but the employee was obliged to take legal proceedings if he wished to procure the arrears of wages; §12 now authorises the competent court to order the arrears of wages to be paid;—§13, which amends §128, last paragraph, of the principal Act, makes it possible for shopkeepers outside the Metropolitan district to arrange to close their shops on Saturday afternoon, no matter whether Wednesday or another day is fixed as the half-holiday by municipal by-law; flower shops, hairdressers' shops and bakers' shops, outside the Metropolitan district, are allowed by §14 to choose either Wednesday or Saturday as the early closing day, even though Saturday is fixed as the weekly half-holiday.—§16 creates a district comparable to the Metropolitan district, out of the seaport of Geelong, together with some suburbs, as regards which the Government will have the same powers respecting the enforcement of the Factories and Shops Acts as the Municipal Council in the various municipalities.—§144 of the principal Act empowered the Government to make regulations respecting the weekly hours of work of carriers in the Metropolitan district engaged in delivering goods to or from factories or shops; this limitation was removed by §17 of the amending Act and the Government was empowered to regulate the hours of work of carriers in the Metropolitan district in general;—formerly [§146, Sub-section (3) of the principal Act] the rule applied that all persons under 16 and women and girls employed in shops should be allowed an interval of at least half-an-hour for a meal after five hours' work; since it appeared that men were employed from 8–9 hours on end without an interval for a meal, §18 of the amending Act extends the rule respecting half-an-hour's break to all employees in shops.—§49 of the principal Act prohibited the taking of premiums for engaging female apprentices or improvers in the clothing trades, and gave the person concerned the right to recover any such sum on applying to the Courts within the term of two months, as fixed by §162 (a); since contraventions often only came to light after this term had expired, §19 of the amending Act extends it to six months.—Under §20 of the amending Act (amending §20 of the Factories and Shops Act, No. 2 of 1905) certain shopkeepers (chemists, newsagents, etc.) may be permitted by municipal by-law to close on certain days at 1 o'clock and not to reopen until a late hour in the evening, without encroaching upon the employees' half-

holiday.—§21 of the amending Act extends the Metropolitan district by including certain suburbs.—In §22 a rule is re-established which applied before the Saturday half-holiday was made compulsory in the Metropolitan district; this rule is to the effect that the shops mentioned in the schedule to the Factory Act of 1905 (No. 2) or in the schedule to the Metropolitan Half-holiday Act of 1909 (cooked-meat shops, flower shops, bicycle shops, hairdressers, bakers' shops), may be kept open until 10 o'clock on Fridays, and butchers' shops until 8 o'clock, provided that in both cases they close at 1 o'clock on Saturdays.—§23 deals with the serving of summonses.—§24 empowers the Minister to require employers to supply statistics required in connection with the appointment of wages boards at any time, and not only on 1st June as formerly.—Since it occurred on some occasions that merchants actually carried on sales on Saturday afternoons, under the pretext of delivering goods, §25 of the amending Act, adopted in agreement both with the employers and the employees, prohibits the delivering of hay, corn, chaff, straw, wood, coal or coke, after 2 o'clock on Saturday afternoon.—§26 declares, in order to clear up a legal dispute, that shops need not shut at 1 o'clock on the Saturday in Easter or Christmas week, if they have already been closed for the whole of a public holiday.—§27 of the amending Act adds bird and dog dealers' shops to the list of shops exempt from observing the Saturday half-holiday, in pursuance of the first schedule to the Metropolitan Saturday Half-Holiday Act.—§§29-30 fix the annual holiday for fruit, vegetable, and grocers' shops.—§31 provides that unsealed indentures of apprenticeship shall be deemed valid.—§32 imposes a penalty for failure on the part of either the employer or the apprentice to carry out the terms of the indenture.—In §33 the Act prohibits the use of white phosphorus. A fine not exceeding £10 may be imposed on persons using white or yellow phosphorus in the manufacture of matches.

In discussing this Section, regret was expressed that Victoria had not the power (as in the United Kingdom) to require the owners of patents for harmless substitutes to give up their rights. The regulation of patents was the affair of the Commonwealth, and it was very questionable whether the rule laid down in Part 5 of the Commonwealth Patent Act of 1905, requiring patents to be given up if it was proved that the protection of a patent was doing injury to the general trade of the country, would apply in this case. The Government pointed out that altogether only one or two firms for the manufacture of matches were concerned.—§35 provides that in all warehouses and shops, such ventilation shall be provided as is prescribed by a special board.—§36 of the amending Act gave rise to extensive debates in which the question of extending the system of wages boards was discussed, which was afterwards regulated fundamentally in the amending Act of 1911 (for details see under 4). According to §101 of the principal Act, the Government may only extend the determinations of special boards to parts of shires, if these parts either lie within 10 miles of a city or town, or if a petition to this effect has been presented to the Government by the Council of the shire. The Section drafted by the Liberal Government (Prime Minister, Mr. Murray) wished to give the Government power to extend the determinations of wages boards to the shires, regardless of §101 of the principal Act, in the case of the following trades:—Tanneries, fellmongers, flour mills, carriage works, brewers, quarries, hay, chaff, wood and coal works, and the manufacture of agricultural implements. The Legislative Assembly adopted the Government proposal and added, moreover, the "ham and bacon-curers' board." But in the Legislative Council the proposal

was vehemently opposed. It was pointed out that agricultural conditions were such that rigid standards could not be adhered to, and that industrial specialisation had not been carried so far as in the town trades. Accordingly, the Legislative Council left only the "ham and bacon curers' board" in §36, and deleted all the other boards.—§37 replaces the remuneration for overtime fixed in various Sections of the Factory Amendment Act of 1907 at 6d. per hour, by a sum proportional to the wages (one-and-a-half times the normal wages, but not less than 6d.).—§38 places the duty of fixing minimum rates of wages for stackers or sorters employed in connection with the loading or unloading of timber from ships, upon the wood-workers' board.—An interesting case is dealt with in §39. In Victoria, up to the year 1903, the wages boards had power to fix the number of apprentices who might be employed in each establishment. But this authority was repealed in that year. As a result, Victoria diverged from the principle adopted in the other Colonies, which prescribe a definite proportion between apprentices and adult workers. In particular, the large number of apprentices in the Victorian boot trade was regarded as unfair competition in the neighbouring States, and was brought up for discussion by the Premier of New South Wales (Mr. Wade) at a conference of Premiers. On account of this and other circumstances, the Government of Victoria was led to restore to the Wages Boards in their Bill (§13) the authority to fix the number or the proportional number of apprentices. The Government pointed out that now even some leading members of the employers' federation were in favour of the measure, which the workers had always demanded. The Legislative Assembly adopted the Government's proposal. In the Legislative Council the Government pointed out how difficult it was, in the present circumstances, to justify their position to the other States. In addition, such differences of opinion between the States gave the workers good reasons for summoning the employers under the Commonwealth Arbitration legislation, to their disadvantage, before the Commonwealth Court of Arbitration, a procedure which the employees in the boot trade, in the so-called boot trade case, had adopted with success. Notwithstanding, the Legislative Council rejected the Government's proposal, but took the opportunity of intervening to protect the Commonwealth legislation from being encroached upon,\* and added, on the motion of Mr. J. Balfour, a paragraph

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\* Mr. R. A. S. Abbot made a detailed statement on 23rd December, 1909, in the Legislative Council as regards the relation at the end of 1909 between the conciliation and arbitration legislation of the Commonwealth and of the individual States (Parliamentary Debates, Session 1909, p. 3592), from which we take the following:

Article 51, XXXV., of the Australian Commonwealth Constitution empowers the Commonwealth Parliament to make laws with respect to conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State. . . . On 28th June, 1901, the following resolution was passed by the House of Representatives and adopted by the Senate, on 9th August of the same year:—'That, in the opinion of this House, it is expedient for the Parliament of the Commonwealth to accept (if the State Parliaments see fit to grant it, under §51, Sub-section 37, of the Constitution Act) full power to make laws for Australia as to wages and hours and conditions of labour.' But the Premiers of all the separate States, when consulted on the matter, adopted an attitude against the proposal. Notwithstanding, the Government of the Commonwealth took the standpoint that Commonwealth legislation could extend under the Constitution to the sphere of conciliation and arbitration legislation; the result was the Arbitration Bill of 1903. Mr. Deakin (the Premier of the Commonwealth) explained, in introducing the measure, that the Bill was drawn 'for the future' with the idea of 'providing an effective means of dealing with industrial disputes extending beyond one State or otherwise.' He went on to say (Parliamentary Debates, Session 1903, p. 2860): 'The States are left perfectly free to avail themselves, or not to avail themselves, of the provisions of the Bill. But, at all events, we are here providing a tribunal which, as far

of §19, Sub-section (1) of the principal Act (§39 of the amending Act) providing that any person duly complying with the provisions of the Victorian Factory Act or the determinations of the special boards or of the State Court of Industrial Appeal, as regards the employment of workers, should not, in any circumstances, be compelled to pay any other rate of wages, or to employ a different number of apprentices or to comply with any other conditions. The Government declared, however, that the success of this provision seemed to them doubtful.

3. The amending Act, No. 2291 dated 4th January, 1911. In the year 1910, a majority was found even in the Legislative Council in favour of the adoption of the provision which had been rejected the preceding Session, respecting the

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as we could do, is equipped with the necessary endowment.' " The employers had already protested, in the Commonwealth Parliament, and still more outside, against the Commonwealth "policy of encroachment," or, to use Mr. Deakin's phrase, "the otherwise" (see above). Notwithstanding, the Bill was adopted (Act of 15th Dec., 1904). The trade unions in the different States now formed Commonwealth federations, and by this means gained the right of registration under the Commonwealth law (one of the first to do so were the bread carters). Three further attempts on the part of the Commonwealth Legislature to extend their powers came to grief by a decision of the High Court, namely: (1) The placing of railway employees under the Commonwealth Arbitration Act (judgment of 17th Dec., 1906, respecting the registration of the New South Wales Government Railways Traffic Employees' Association as an industrial union under the Act); (2) The Excise (Tariff) Act of 12th October, 1906 (Text E.B. II., p. 391), in which the Commonwealth Parliament attempted to regulate the hours of work and wage conditions to be observed by the manufacturers of harvesting and other agricultural implements through the Commonwealth Court of Arbitration (Judgment of 26th June, 1908); and (3) Part VII. of the Trade Marks Act containing the provisions respecting trade union labels (Judgment of 4th August, 1908).

The first essential case in which the Commonwealth Court encroached on the functions of the wages boards or arbitration courts of the individual States was (apart from the woodworkers,' or federated sawmills, case, which was withdrawn by the plaintiffs), the boot trade case which so greatly exercised the Victorian Parliament when dealing with the Amending Act No. 2,241 of 1st January, 1910, and the Apprentices Amendment Act, No. 2,291 of 4th January, 1911. In May and June the Australian Boot Trade Employees' Federation presented their demands to the employers, and in July, 1909, appealed to the Commonwealth Court of Arbitration. Sixteen firms in Victoria, 11 firms and an association in New South Wales, 6 firms in Queensland, and 4 firms in South Australia were summoned. In Victoria, the boot trade had been subject to the determinations of a wages board since 1897; in New South Wales, from 1902 to June, 1909, an award of the Court of Arbitration had applied, after which the wages board system had come into force there also. In South Australia a wages board determination had come into force in September, 1907, and in Queensland, in May, 1909. The proceedings before the Commonwealth Court of Arbitration began on the 3rd September, 1909; on the 10th November judgment was given in the form of a proposed award.

The employers complained in principle of the costs which the cases laid upon them. In addition, they maintained that they did not wish to serve two masters, and they demanded that either the individual States or the Commonwealth should renounce their competence. They were of opinion that the wages boards were in a better position to judge of demands respecting wages and hours of work, because they consisted of trade experts, a character which the Commonwealth Court of Arbitration and the inter-state Commission did not possess. They also pointed out that, as had been shown in the Broken Hill dispute, the provisions of the Arbitration Act respecting the prevention of strikes could not be enforced. On the other hand, the workers supported the system of Commonwealth arbitration because, by awards of the Court of Arbitration, they could in the worst cases not lose anything, but they might gain something. The view expressed by Justice Higgins in this respect in the wood workers' case is worthy of note. "If the State award fixed a minimum wage for certain workmen at 1s. 3d. per hour, and the Federal Court at 1s. 6d., both awards can be obeyed by payment of the higher wage. I base my opinion on the ground that, when a Federal Act within the scope of the Federal power comes into collision with a State Act within the State power, the Federal Act prevails to the extent of the inconsistency."

limitation of the number of apprentices. In introducing their Bill, the Government pointed out that Victoria had already possessed the proposed arrangements at one time ; it was not until 1903 that the right of the wages boards to limit the number of apprentices had been withdrawn. Since then, public opinion had swung round, and the employers themselves were no longer opposed to the authority. The abuse of the employment of apprentices had taken undue proportions since the limitation had been repealed (for instance, in one printing works, with 20 assistants and 8 apprentices, the latter had been increased to 18 ; in a furniture factory, 11 assistants and 3 apprentices, later increased to 14 ; in a shoe factory, 34 assistants and 21 apprentices, later increased to 41 ; in another case, 28 assistants and 14 apprentices, later increased to 35. The conditions were still worse in the clothing trade). The Government still regarded the wages boards as the suitable authority to determine the number of apprentices.

The Bill was adopted by the Legislative Assembly almost without debate, and it was not opposed even in the Legislative Council. In both cases, the employers emphasised the fact, how very anxious they were to avoid any encroachment on the part of the Commonwealth Arbitration Act, as had occurred in the boot trade case. The new Act empowers the special boards to fix the number or proportional number of apprentices or improvers in each trade, and also their minimum wages. In order to avoid too harsh determinations on the part of the special boards, and in order to ensure at least one apprentice in each undertaking, the Legislative Council added the provision that there should be one apprentice to every three or fraction of three workers. By a further addition, the Legislative Council endeavoured to prevent a complete lack of apprentices suddenly arising in a factory by the concurrent expiry of their terms of apprenticeship.

Since a consolidation of all the provisions respecting apprenticeship is in contemplation, the Act was only to apply until the 31st December, 1912 (§6).

4. The amending Act, No. 2305, dated 4th January, 1911 introduced two important changes in the wages board system. It removes the necessity for a legislative authorisation to which the appointment of wages boards was previously attached, and extends the power of the Government to apply the determinations of wages boards to country districts.

In introducing the Bill in the Legislative Assembly, the Premier (Mr. Murray) emphasised the satisfactory nature of the work of the wages boards, and pointed out how the employers themselves had become reconciled to the institution which they previously opposed. In 1897, with a total of 45,178 workers, six special boards, covering 10,635 employees, had been appointed ; now the total number of workers in registered factories was 79,348, and there were only 65 trades with 14,962 persons for which wages boards had not been appointed ; for the other trades, including non-factory trades (carriers, out-workers, shops, hairdressers) with about 75,000 workers, there were 71 special boards. During the past ten years, there had been only one short strike (the bakers' strike) in trades coming under the wages boards system. There were at the time, 21 new special boards in course of establishment, including boards for gold miners (5,000 persons), coal miners (2,000), engineers and boilermakers (3,500), hotel employees (3,000), boot dealers (500), and ironmongers (464) ; the increases in wages under the determinations of wages boards were estimated at £3,000,000. As regards the two most important innovations in the Bill, the Prime Minister pointed out that the removal of the rule that a board could not be appointed for a trade without a provision to this effect being introduced



by providing that in such cases the rent shall not be reckoned as more than 10s. a week.—In starch factories it often occurred that young girls had to carry too heavy loads ; consequently §22 limits the maximum weight which girls under 18 may lift or carry, to 25 lbs.—§23 extends the requirements as regards the fencing of dangerous machines, and §24 requires first-aid ambulance chests to be provided.—Since hairdressers endeavoured to evade the determinations of the wages boards by sub-letting chairs or parts of their shops. §26 provides that, in such cases, the person to whom the chairs or part of the shop are let, shall be held to be an employee and paid as such.—In §27 the employer is made responsible for the registration of home workers in the clothing trades. The Government supported this proposal on the ground that labour legislation aimed especially at combating the sweating system, and that sweating had now retreated to home industries where it was more secure from State supervision. Effective supervision by the authorities would be possible if registration was made compulsory through the employer (under §23 of the principal Act, the home-workers had hitherto to register themselves). The Legislative Council, contrary to the wish of the Government, added another provision, according to which such home-workers might employ only members of their own families.—A series of amendments deal with the provisions as regards hours of work and holidays : §28 provides that butchers' shops shall be closed at 8 o'clock in the evening on days preceding a public holiday (legal limit 10 o'clock ; usual closing hour 9 o'clock).—§29 repeals exceptions relating to the closing of shops in Christmas and Easter week.—§30 is of greater importance ; it repeals §§4 and 5 of the Metropolitan Saturday Half-Holiday Act of 1909, and thus takes away from shopkeepers the possibility of applying to the Government for exemptions from the early closing on Saturdays.—§33 provides that certain shops (it affects chiefly butchers' shops and bicycle shops) need not close before 6 p.m., if they have remained closed in the same week during a whole holiday. On the other hand, ordinary shops must remain closed even in this case on Saturday afternoon with the exception (*cf.* §34 of the amending Act) of the shops named in the 4th Schedule of the principal Act and the 1st Schedule of the Saturday Half Holiday Act of 1909.—According to §141 (2) of the principal Act, persons engaged in delivering bread must be given as a holiday the whole of the third Wednesday in each month : in order to place these workers in the same position as other shop assistants, who have four half-holidays in the month, §37 of the amending Act provides that they shall be allowed the first and third Wednesday of every month, provided that instead of the first Wednesday, any other public holiday falling in the same week, may be allowed.—§§38 to 41 strengthen, in general, the provisions respecting the hours of work of carters, but give the Chief Inspector power to allow overtime (wages 2s. an hour) ; in order that these hours of work may be better supervised, persons employing carters are required, by §42, to keep a time-book ; improvers may not be employed for more than 26 hours a week in delivering goods, instead of their ordinary industrial work (§43).—§§35, 36, 44, 50, 52 and 54 contain provisions respecting the annual factory holiday in various trades.—§45 subjects to the Act caterers who, unless they were also the proprietors of a restaurant, could formerly employ their staff as long as they liked.—§46 prevents persons who are legally bound to close their shops on Saturday afternoon from evading the law by having their goods sold by auction.—Under §146 (2) of the principal Act, a shopkeeper could employ his assistants overtime on 40 days in the year. In view of this possibility, occupiers were tempted incidentally to reduce their staff at the first indication of bad trade. Consequently, the Labour Party proposed, in the Legislative

Council, to reduce the number of days on which overtime might be worked, to 12; a compromise reducing the number to 25 days, was adopted on the proposal of the Government (§47); at the same time, §48 increases from 6d. to 1s. the tea-money which had to be paid, in addition to the payment of 6d. an hour for overtime.—§49 gives watchmen a weekly holiday.—Under §119 of the principal Act, employers contravening the determination of a wages board were liable to heavy penalties; an amendment adopted by the Legislative Council, and adhered to in spite of the opposition of the Legislative Assembly, provides that the contravention must be committed "knowingly and wilfully" (§53 of the amending Act).

## 201. PROTECTION OF CHILDREN, YOUNG PERSONS, AND WOMEN; APPRENTICESHIP.

*AUSTRIA-HUNGARY. Austria.* After the International Agreement of 26th September 1906 (Text E.B. I., p. 272), respecting the prohibition of the night-work of women in industrial occupations had become legally binding in Austria, by ratification on 29th December, 1908 (*cf.* the Notification of 1st February, 1911; Text E.B. VI., p. 118, No. 1), the Government submitted to Parliament two Bills to carry out the Agreement. One of these Bills dealt with the prohibition of the night-work of women in industrial undertakings, and became law on 21st February, 1911 (Text E.B. VI., p. 119, No. 2; Introduction, p. XLI.); the other Bill, which was submitted to the House of Representatives on 20th June, 1910 (No. 862 of the Appendices to the Shorthand Reports of the House of Representatives, XXth Session, 1910) had the object, in the first place, of amending, in accordance with the International Convention, the provisions of the Act of 21st June, 1884 (R.G.Bl. No. 115), respecting the employment of young persons and women, and also regulating daily hours of work and Sunday rest in mines, and, on the other hand, of prohibiting the employment of children in mines, which was still permissible in exceptional cases, independently of the Convention. According to the provisions of the before-mentioned Act, which, in pursuance of §18 of the Act of 9th January, 1907 (R.G.Bl. No. 7), applies also to the winning of bituminous minerals, girls and boys under 12 years of age might not be employed at all as workers in mines, and they might be employed between the ages of 12 and 14 only as an exception in light work above ground, without prejudice to their compulsory school attendance, on the application of their parents or guardians, with a special permit from the mining authorities. Women and girls of any age might only be employed in mining above ground; women might not be employed for six weeks after confinement, or they might return after four weeks in pursuance of a medical certificate of fitness only; and girls under 18 years of age and male young persons under 16 years of age might only be employed in such a way as not to be injurious to their physical development. In pursuance of this latter rule the Minister of Agriculture, in §3 of the Order of 8th June, 1907 (Text E.B. II., p. 215, No. 5), respecting the employment of young persons and children in mines, prohibited the employment of children in mines, and apart from cases of urgent danger to life, health and property, also the employment of young women at night—*i.e.*, between 8 p.m. and 5 a.m.—without exception. But the Austrian mining legislation hitherto did not prohibit the night-work of adult women.

The Ministry of Agriculture had carried out, before the International Conference of Berne took place, statistical inquiries, relating to the 22nd November, 1904, into the employment of women in the Austrian mining industry, and especially into the nature of their occupation and their employment at night. The explanatory remarks on the Bill (No. 862 of the Appendices to the Shorthand Reports of the House of Representatives, 22nd Session, 1910; reproduced in the XXIst Session, 1911, as No. 25 of the Appendices) contain the following information on this subject:—

“The number of mines of reserved minerals (including salt mines) in which, on the day of the inquiry, women were employed, amounted altogether to 297. In these, 6,465 women were employed altogether, 4 (0.06 per cent.) of which were children, 1,224 (18.93 per cent.) young persons between 14 and 18 years of age, and 5,237 (81.01 per cent.) adult women. In 227 mines, the number of women amounted to more than three. In 78 works women were employed at night, *i.e.*, between 8 p.m. and 5 a.m.

“In anthracite coal mines, 3,102 (47.99 per cent.); in lignite coal mines, 2,510 (38.82 per cent.); in iron ore mines, 74 (1.14 per cent.); in salt mines, 9 (0.14 per cent.); and in mines of other reserved minerals, 770 (11.91 per cent.) women were employed.

“Out of the 6,465 women employed on 22nd November, 1904, 4,994 (77.25 per cent.) were employed exclusively in the day-time, *i.e.*, between 5 a.m. and 8 p.m., and 1,471 (22.75 per cent.) were employed wholly or partially at night. Of the women employed at night, 667 were working in anthracite coal mines, 615 in lignite coal mines, and 189 in other mineral mines; in iron ore mines and salt mines, no women were employed at night on the date in question.

“As regards the nature of the work performed by women at night on the date of the inquiry, it should be noted that 104 women were employed in conveyance above ground, 962 in ore-dressing, 279 in loading, and 126 in other occupations.

“In the winning of bituminous minerals—that is, in ozokerite and in petroleum mines—the number of women employed was 34 and 5 respectively; 12 of the women employed in ozokerite mining worked in the night-shift in ore-dressing.

“In the smelting works subject to inspection by the Mining Authorities, 229 women altogether were employed on 22nd November, 1904, all of them by day.”

As regards the employment of children in Austrian mines, the explanatory remarks emphasise the fact that their employment has been permitted by the Mining Authorities of recent years only in isolated cases (1907, 18 children; 1908, 4 children; 1909, 7 children).

The Bill provided, in the first place, that the employment of children under 14 in mines should be prohibited; in addition, it decreed, in conformity with the International Convention, that the employment of women at night should not be permitted on principle. In this respect it went beyond the provisions of the Convention by providing that the night rest should begin at 8 p.m., instead of 10 p.m. Exceptions to this rule were to be allowed after the Act came into force only in the case of women over 18 years of age, in the following circumstances:—

(a) In work in two day-shifts: the employment of women in the second shift might extend to 10 p.m.;

(b) Where permission is given to work overtime in the case of extraordinary circumstances or of temporary urgent necessity: the night's rest, which must amount to at least 10 hours, need not begin until 10 p.m. on 60 days in the year;

(c) In the case of unforeseen interruptions of work not recurring periodically and due to *force majeure*: the prohibition of night-work is suspended;

(d) Until the 31st December, 1918, in surface works which have to be suspended as a result of climatic conditions for at least four months in the year: permission to employ adult women at night for the rest of the year.

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As regards the 11 hours' night rest for women prescribed in the International Convention, no general rule was required, since §2 of the Act of 21st July, 1884 (R.G.Bl. No. 115) satisfied this requirement indirectly by fixing the maximum duration of a shift to 12 hours. It was only necessary, in view of the Convention, to restrict the former power of the Minister of Public Works to permit in exceptional cases shifts of more than 12 hours in mines situated at a high elevation in mountain districts, by providing that such exceptions should only apply to adult women, and that the women should in any case be allowed 11 hours' night rest.

The Committee on Social Legislation of the House of Representatives discussed the Bill in their sitting of 16th February, 1911, and adopted it with some amendments. In the course of the debates, the Committee also discussed the question as to whether this opportunity should not be taken of providing special protection without exceptions for young persons of the male sex between 14 and 16 years of age. The majority were of opinion that it would not be expedient to prohibit the night-work of young persons unconditionally, since there were certain operations carried on even in night shifts which did not exceed their powers. The complete exclusion of young persons from night shifts would affect their employment in the day shifts, which would have an unfavourable effect upon the maintenance of an efficient mining population, which did not fully meet the demand even at the present time. In addition, the custom prevailing in some districts of beginning at 4 a.m., would be interfered with by a prohibition of this sort, since it would not be permissible for the young persons to start before 5 a.m. It was pointed out that the Mining Authorities had already intervened successfully to prevent any unreasonable employment and exploitation of young persons, and they had adopted measures to exclude all young persons from night employment whose physical development was not satisfactory enough to enable them to endure the night-work without injury to their health.

As a result of the conclusion of the Session, the Bill was introduced again into the House of Representatives at the beginning of the XXIst Session, consideration having been given to the recently adopted amendments of the Committee on Social Legislation; after the first reading (Shorthand Reports of the House of Representatives, XXIst Session, p. 1743) it was again referred, on the 23rd November, 1911, to the Committee on Social Legislation. The report of the Committee (No. 1028 of the Appendices to the Shorthand Reports of the House of Representatives) was followed on 20th December, 1911, by the second and third readings in the House of Representatives (Shorthand Reports, XXIst Session, p. 2447). The House of Lords adopted the Bill in the form passed by the House of Representatives, on 22nd December, 1911 (Shorthand Reports of the House of Lords, XXIst Session, pp. 140, 158), without a debate. On the 26th December, 1911, the Bill became law (Text E.B. VII., p. 21, No. 3) with the following modifications:—The period of rest for women after confinement must amount to six weeks in all circumstances (originally, only four weeks with a medical certificate of fitness). Permission for overtime is limited to 40 (originally 60) days. The exception contemplated in the Bill in the case of interruptions of work resulting from *force majeure* is deleted, since—as the reporter of the Committee on Social Legislation pointed out—in the case of occurrences in mines due to *force majeure*, it is hardly likely that suitable employment for women adapted to their strength would be found. The 1st December, 1914 (originally 31st December, 1918), is fixed as the end of the period of transition, during which the employment of women

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is permitted in surface work in mines which must be closed during four months in the year on account of climatic conditions.

The prohibition of the night-work of women came into force on the day of notification, the prohibition of the employment of children, one month later; all the other provisions came into operation on the 1st January, 1912.

*Hungary.* By the Act No. XIX., dated 19th December, 1911 (Text E.B. VII., p. 211, No. 2), Hungary prohibited, in accordance with the Berne Convention of 26th September, 1906 (E.B. I., p. 272), the employment of women at night (from 10 p.m. to 5 a.m.), in all works or undertakings where raw materials, semi-manufactured or wholly manufactured goods are produced, transformed, or worked up by way of trade in mines, salt works and smelting works, etc.; in works and undertakings in connection with Government monopolies; in the manufacturing and repairing shops of railway and navigation companies, and of the postal telegraph and telephone authorities; and finally, in building enterprises of all kinds—provided that, as a rule, more than 10 workers are employed. The women must be allowed an uninterrupted night rest of 11 hours.

The following industries are excluded :—Agriculture and forestry, undertakings where only members of the employer's family are employed, restaurants and coffee-houses and other similar businesses, railway and navigation undertakings and the postal, telegraph, and telephone services. In seasonal trades and, under certain conditions, other trades also, the competent authorities may allow the 11-hour rest for women to be reduced to 10 hours on not more than 60 days in the year. In undertakings where raw materials or semi-manufactured goods subject to rapid deterioration are prepared (fruit, vegetable and fish-preserving, etc.), the Minister of Commerce may, in consultation with the Chambers of Commerce and Trade, allow, by order, women to be employed at night during a certain season or during the whole year, provided that the hours of work of women may not exceed 66 hours a week, and that the night-work must not exceed 10 hours in 24. In the case of interruptions of work occasioned by *force majeure* or elementary causes, or in case of accidents, the competent authority may, as an exception, allow the night-work of women temporarily, in so far as this is inevitable; but the hours of work of women must not amount to more than 13 hours in 24, exclusive of breaks for rest. The women must be allowed a break of at least one hour in such cases after six hours' continuous work, and they must be given at least 11 hours' uninterrupted rest in every 24 hours.

The Industrial Authority of first instance may give permission for the employment of women at night only for a period of 14 days. But the Minister of Commerce has power to extend the permission if, through no fault of the employer, it is not possible to complete the work in 14 days. Permission to employ women at night ceases to apply, even before its term has concluded and without right of appeal, if the legal reason for which it was given has in the meantime ceased to exist. If, in the case of the interruptions of work referred to, the night-work of women cannot be postponed until the Industrial Authority of first instance has issued its decision, without injury to public or private interests, the employer may employ women at night on his own responsibility simultaneously with the lodging of the application, but he must notify this to the Industrial Authority and stop the night-work immediately if the application is refused.

The employer is bound to post up in all workrooms where women are employed, and in mines, rules of employment in the official language and in the language spoken by the majority of the women employed ; the notice must be easily readable, and signed by the Industrial Authority, and it must state the working days, hours of work and intervals of rest, and include the provisions of the Act. Contraventions of the Act are punished by fines not exceeding 600 kr., and in special cases by imprisonment for a term not exceeding two months. If an employer fails to observe the rules respecting reductions of the night's rest or the exceptional employment of women at night, the permission may be withdrawn from him, without prejudice to proceedings in respect of the contravention.

The Act came into force, in general, on 1st January, 1912. It does not apply until 15th January, 1920, to beetroot sugar factories, woolcarding and spinning works, or to surface work in connection with mines, if the last-named work must be suspended for at least four months during the year on account of climatic conditions ; nevertheless, these industries may not employ girls under 14 at night in any circumstances after the 1st January, 1912, nor may they employ girls under 16 if they work at night, for more than 8 hours, exclusive of intervals for rest, or women over 16 for more than 11 hours in 24.

An administrative Order of the Minister of Commerce dated 19th December, 1911, issued at the same time as the Act (Text E.B. VII., p. 215, No. 3), explains thoroughly the various provisions of the Act.

**BELGIUM.** In pursuance of §§4 and 8 of the Act of 13th December, 1889, regulating the employment of women, children and young persons, a Decree, dated 20th December, 1911 (E.B. VII., p. 356, No. 7), provides that children and young persons under 16 years of age and girls and women between 16 and 21 years of age may not be employed as a rule for more than 10 hours a day in the chocolate and confectionery industry, or for more than 11 hours a day on not more than 30 days in the year ; when the duration of actual work does not exceed 9 hours, a period of rest of at least 45 minutes must be allowed ; if the hours of work are between 9 and 10, or more than 10, a further period of rest of a quarter of an hour must be allowed.

§4 of the Act prohibiting the night-work of women, dated 10th August, 1911 (Text E.B. VI., p. 156, No. 27), provides that the King may allow exemptions from the prohibition of night-work in the case of industries involving work "on raw material or materials in course of manufacture which are liable to very rapid deterioration and the loss of which otherwise appears inevitable." In pursuance of this rule, the following industries have been granted exemptions by Order : (1) The manufacture of artificial silk (Decree of 29th December, 1911, which applied until 1st July, 1912, and was extended by the Decree of 15th May, 1912, to the 1st January, 1913 ; Text E.B. VII., p. 357, No. 8) : women over 21 years of age may be employed after 9 p.m. and before 5 a.m. in the process of spinning proper ; but their total hours of work must not exceed 11 a day and must be broken by three periods of rest amounting to at least 1½ hours altogether (as regards the definition of the expression "subject to rapid deterioration," see the report of the Seventh General Meeting of the Committee of the International Association for Labour Legislation held at Zurich from 10-12th September, 1912, P. S. King and Son, 1913, p. 31) ; (2) Preserved fish factories (Decree of 29th December, 1911 ; E.B. VII., p. 358, No. 9) : persons between 16 and 21 years of age may be employed until midnight on 30 days in the year, but not more than 11 hours in a day ; women

aged 21 or more may be employed until 2 a.m. with a total period of employment not exceeding 12 hours; (3) Vegetable and fruit preserving factories (Decree of 4th June, 1912; Text E.B. VII., p. 361, No. 21): subject to certain conditions respecting the night's rest and breaks for rest, adult women may be employed after 9 p.m. and before 5 a.m., from the 10th June to the 10th August, and 15 times a year in addition outside this period.

**DENMARK.** In accordance with §1, paragraph 2, of the Danish Act of 11th April, 1901 (Text G.B. I., p. 13), respecting work in factories and concerns considered as factories, which provides that in branches of industry which, according to the Act, do not come within the scope of §1, paragraph 1, the employment of children of school age may be limited or altogether prohibited on the proposal of a Communal Council by means of an Order of the Ministry of the Interior, after obtaining an expression of opinion from the Labour Council, a Notification has been issued for the town of Silkeborg in respect of the employment of children and young persons in certain classes of occupations. (Dated, 26th April, 1912; amendment of the Notification of 21st July, 1911).

**FRANCE.** A Circular of the Minister of War, dated 29th April, 1910 (Title E.B. VII., p. 363, No. 3), gives women employed in military establishments a monthly nursing bonus of 10 frs. for four months after confinement; a double bonus is paid in the case of twins.

A Decree dated 28th June, 1910 (Title E.B. VII., p. 364, No. 9), extends to Algeria the provisions of the Act of 27th November, 1909 (Text E.B. V., p. 104, No. 16), respecting the work of women after confinement.

§140 of the Finance Act of 13th July, 1911 (Text E.B. VII., p. 377, No. 55), extends the right to two months' leave of absence with full pay in case of confinement as (provided in the Act of 15th March, 1910, for teachers) to the female staff of the Department of Posts, Telegraphs and Telephones.

The Decree of 15th July, 1893, issued in pursuance of §§4, 5, 6 and 7 of the Act of 2nd November, 1892 (night-work, hours of work, weekly day of rest), contains in §5 a list of the industries in regard to which the district inspector may temporarily suspend the rules regulating the hours of work of young persons under 18 and women. A Decree, dated 23rd November, 1910 (E.B. VII., p. 365, No. 16) extends this list to the "folding and boxing of ribbons."

On 8th October, 1911, two Decrees for the protection of glass workers were issued (Text E.B. VII., p. 377, Nos. 57 and 58). The first of these lays down rules relating to health and safety measures in glass works, and is described in further detail under 2.11, *Stone and Earth Industries*. The second Decree deals with the employment of children in glass works. Formerly children under 13 might not be employed at all in gathering the liquid glass or in glass-blowing; the new Decree raises the age limit in bottle and window-glass works to 15 (gathering the liquid glass) or to 16 (glass-blowing), and to 14 in other glass works in the case of both occupations. The weight of glass handled by children from 14 to 16 years of age (formerly 13 to 16) may not exceed 1,000 grams. If the manufacture of bottles is carried on by machinery, children under 16 may not be employed in gathering the liquid glass or in working the machine. Children of from 14 to 15 years of age may only be employed in glass-drawing, subject to certain conditions.

By the Act of the 22nd December, 1911 (Text E.B. VII., p. 26), France has brought its national legislation into line with the International Convention of Berne of the 26th September, 1906 (Text E.B. I., p. 272), relating to the prohibition of the night-work of women employed in industrial concerns. The Chamber of Deputies passed, as urgent, the Government Bill submitted to it on the 10th January, 1907 (*cf.* Bulletin de l'Office du Travail XIV., 719). The proceedings in the Senate, which had been prepared by a report and an additional report of Senator Touron, dated 24th January and 7th December, 1911, respectively, took place also as a matter of urgency on 12th December, 1911. While the Chamber of Deputies desired to incorporate the new stipulations in a separate Act, the Committee of the Senate proposed, and the Senate decided to alter §4 of the existing Act of 2nd November, 1892, on the work of women, and to incorporate in the supplementary Act, not only the provisions of the International Convention, but also several provisions contained in Decrees relating to the administration of the Act of 1892. The Chamber of Deputies passed on 20th December, 1911, without amendments, the text adopted by the Senate.

§4 of the Act of 1892, as modified by the supplementary Act of 1911, contains the following new features:—The existing prohibition of night-work for young workers under the age of 18 and for women in factories and workshops of all kinds, in yards, as well as in smelting works, mines and quarries (§1), is supplemented by requiring an uninterrupted night's rest of at least 11 hours for female workers (§2). The hours from 9 p.m. to 5 a.m. are considered as night-work. Employment in underground work in mines, excavations, and quarries between 4 a.m. and 10 p.m., which had hitherto been permitted in two shifts of 9 hours each, with an interval of rest of at least one hour for women and young workers of either sex (Act of 30th March, 1900), is now admissible only under the same conditions for young persons of the male sex (§3). By way of exception, a reduction of the 11 hours' night rest of adult women by one hour, by extending the working hours until 10 o'clock (so-called "*veillées*") may be permitted by Order merely on giving notice, during 60 days in the year at most, on the condition that the daily working hours shall not exceed 12 (§4); in certain industries to be designated by Order, the district labour inspector may also temporarily permit a reduction of the night's rest to 10 hours (in accordance with §7 of the Act of 2nd November, 1892). This provision is intended to correspond to the extension provided for in the Convention of Berne in exceptional circumstances. Certain industries may, further, be released temporarily from observing the prohibition of night-work of young workers and of women under certain conditions merely on notice being given (§5); the old §5, which contained the possibility of permanent exceptions of this kind, has been omitted from the new Act. In cases of stoppage of work, owing to "*force majeure*" or any accidental interruption, the owner of the concern is exempt from the observance of the prohibition of night-work within the limits of the working days lost; if the exceptional condition continues for more than 15 days, the permission of the inspector is required; otherwise it is sufficient merely to give notice (§6).

A Decree of 27th December, 1911 (Text E.B. VII., p. 384, No. 64), modifies the exemptions permitted by Decree of 15th July, 1893, from the prohibition of night-work of women and young persons, in accordance with the new Act. The existing permission to employ female workers over 18 years of age until 11 p.m. o'clock on 60 days, at most, in the year, with a maximum number of working hours of 12, in the trimming of hats and the making of clothes for



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mourning has been limited to the hour of 10 p.m. The list of the trades which may be temporarily granted exemption from the regulations respecting night-work, but in which the working hours of women and young persons may not exceed 10 hours per day, has been restricted by the omission of the manufacture of casks for the packing of fish. The exemption for urgent repairs of ships and engines (120 days) has, moreover, been limited to boys of more than 16 years of age, so that the night-work of female workers of all ages is now admissible, in accordance with the Convention of Berne, only in trades dealing with perishable materials, namely, the production of preserved fruit and vegetables and preserved fish, and the extraction of perfume from flowers on 90 days in the year at most; the industrial production of butter, size, and glue, the removal of wool from sheep-skins, the industrial production of cheese, and the treatment of milk on 60 days in the year at most; and the making of pastry and biscuits, with the use of fresh butter, on 30 days a year at most. In industries with continuous furnaces, the employment of women at night in "indispensable work" had been hitherto permitted in virtue of §6 of the Act of 1892. In virtue of these provisions, the night-work of women was permitted in beetroot distilleries, paper mills, sugar factories and refineries, and in glass works. In accordance with the Convention of Berne, which allows such exemptions only in the case of materials which are subject to very rapid deterioration, the new Decree permits the night-work of women only in beetroot sugar factories for certain kinds of work, under the condition that the work is interrupted by intervals of rest of at least two hours, and that the actual working time does not exceed 10 hours per day. The regulations with respect to the night-work of young persons remained unaltered. The principals of trades who desire to avail themselves of these exceptional provisions must previously inform the labour inspector in each case. The permanent permission granted by §2 of the Decree of 15th July, 1893, to some industries (production of maize-starch, stitching of printed matter, folding of newspapers, lighting of mine lamps) to employ female workers in night-work is repealed. The Act and Decree come into force on 1st January, 1912.

**GERMANY.** The Notification of 8th December, 1909 (Text E.B. V., p. 76, No. 6), added a fourth paragraph to §10 of the Notification of 31st May, 1909 (Text E.B. IV., p. 165, No. 1), which prohibited the employment of women and young persons in stone quarries *inter alia* in transporting or unloading rubbish or waste products; this new paragraph gave the higher administrative authorities power to permit women who were thus employed before 1st July, 1909, to continue to work in these occupations as a transitory measure until 31st December, 1911 (*cf.* the Hamburg Notification of 4th December, 1911; Title E.B. VII., p. 207, No. 3). A Notification of 20th November, 1911 (Text E.B. VII., p. 5, No. 2) permits the employment of such women still further; but employers who wish to employ women in these occupations after 31st December, 1911, by virtue of a permit of the higher administrative authorities are required to hand in to the competent inspecting authorities, by the 1st January, 1912, a list giving the names of the women, their addresses and the dates of their birth, and to allow the wages lists to be inspected at any time.

The Federal Council had granted exceptions from the provisions of §137 of the German Industrial Code, regulating the hours of work of women, in pursuance of powers granted by §139a, in Notifications of the Imperial

Chancellor dated 24th March, 1892 (R.G.Bl. p. 33); 11th March, 1897 (R.G.Bl. p. 35); and 20th March, 1902 (Text G.B. I., p. 143, No. 8). These exceptions allowed women to be employed, subject to certain conditions, early in the morning and late in the evening in coal, zinc and lead ore mines, in the administrative district of Oppeln. A Notification dated 12th April, 1907 (Text E.B. II., p. 168, No. 6), deferred the hour of beginning the first shift from 4.30 until 5 a.m. and extended until 1912 the period of application of the exception, which was to close in 1907.

A Notification of 24th November, 1911 (Text E.B. VII., p. 6, No. 3) grants a further period of exemption until 1st April, 1922, provided that certain provisions of the Act of 28th December, 1908, amending the Industrial Code (E.B. III., p. 335, No. 3), are not affected, namely, §154a, paragraph 2, sentence 2, which prohibits the employment of women in conveying materials except in dressing (separation and washing), in transporting and loading, even above ground, and §5, paragraph 1, 1st sentence, according to which the prohibition came into force on April 1st, 1912, although persons employed in this work on 1st April, 1912, might continue to be so employed until 1st April, 1915, at latest.

Since the term of application of the Notification of 5th March, 1902 (Text G.B. I., p. 138, No. 5), respecting the prohibition of the employment of women and young persons in physically exhausting work or in excessively hot workplaces, in sugar factories, sugar refineries, and in undertakings for extracting sugar from molasses, expired on 1st April, 1912, the Imperial Chancellor issued on 24th November, 1911 (E.B. VII., p. 6, No. 4) a Notification in identical terms which came into force on 1st April, 1912, with an unlimited term of application (*cf.* the Prussian Ministerial Decree dated 14th December, 1911; Title E.B. VII., p. 187, No. 9).

By a Notification dated 5th March, 1902 (G.B. I., p. 140, No. 6), the Federal Council had strengthened the regulations of 11th March, 1892, respecting the employment of women and young persons in glass works, glass grinding and glass etching works and sand blasting works, and declared that they should remain in force for another 10 years. A Notification dated 20th March, 1912 (Text E.B. VII., p. 184, No. 4) extends the operation of these regulations until 1st April, 1913.

A Notification of 20th May, 1912 (Text E.B. p. 295, No. 2), respecting the employment of women and young persons in rolling and hammer mills, which came into force on 1st July, replaced the Notifications of 27th May, 1902 (Text G.B. I., p. 244, No. 2), and 6th July, 1906 (Text E.B. I., p. 156, No. 2). The principal difference between the new and the old regulations (*cf.* the Prussian Ministerial Decree of 8th June, 1912\*) consists of the fact that, whereas formerly the night employment of young persons of the male sex between 14 and 16 years of age was permitted without further conditions in all rolling and hammer mills, where iron or steel were manufactured with continuous furnaces, in work directly connected with the furnaces, now, from 1st October, 1914, the night employment of such young persons will only be allowed in pursuance of a special permit of the higher administrative authority, which will be subject to revocation and only issued for employment on such processes as are apt to advance the young persons' training, and involve no special danger to their life and

\* The Minister for Industry and Commerce to the President of the Government Districts and to the Police President in Berlin respecting the employment of women and young workers in rolling and hammer works. Dated 8th June, 1912. (Ministerialblatt der Handels- und Gewerbeverwaltung XII., 362.)

health. According to a Prussian Ministerial Decree, numerous important and well-known rolling and hammer works have already ceased to employ young persons altogether, and others employed them only in the day shift. Further information on this matter is contained in the annual reports of the industrial inspectors for 1909, in Conrad's Year Books (*Jahrbücher*, vol. 40, p. 353) and in the *Reichsarbeitsblatt*, vol. viii., p. 531. These reports show that in 1909, 91,858 persons, including 4,751 young persons, were employed in the 250 Prussian rolling and hammer works, and that only 1,737 young persons were employed at night. A series of further amendments contained in the new provisions have the object of adapting the rules to the present state of the law in other respects. To this end, in the first place, the rules respecting breaks in work in §II (2) are brought into conformity with §3 of the Notification of 10th December, 1908 (Text E.B. III., p. 333, No. 1), respecting the management of establishments in the iron industry, whilst the former provisions respecting shifts of eight hours or less are maintained [total duration of breaks in work, in the case of shifts not exceeding eight hours, 1 hour; in the case of shifts exceeding 8 hours, 2 hours; where the shift exceeds 8 hours, one of the breaks must amount to at least 1 hour (formerly half-an-hour) and be allowed between the end of the 5th (formerly 4th) and beginning of the 9th (formerly 8th) hour of work]. In addition, the provisions respecting the beginning and end of night-work contained in §II (2), paragraph 5, of the Notification have been amended in conformity with the new form of §136, paragraph 1, of the Industrial Code (8 p.m. and 6 a.m.; formerly 8.30 p.m. and 5.30 a.m.).

*Baden.* In pursuance of a Ministerial Decree dated 31st December, 1909 (Title E.B. VII., p. 201, No. 1), respecting the enforcement of the regulations issued by the German Federal Council on 8th December, 1909 (Text E.B. V., p. 75, No. 4), relating to the employment of young workers in the preparation of fibres and animal hair or rags, the district boards were given the powers conferred upon the higher administrative authorities in §II, paragraph 3, of the regulations.

*Bavaria.* §1, II. (12), last paragraph, of the Act of the 28th December, 1908, to amend the German Industrial Code (E.B. III., p. 335, No. 3), provides that women may not be employed after 1st April, 1912, in coke works nor in carrying materials in building operations of any description. A Bavarian Ministerial Decree, dated 20th February, 1912 (Text E.B. VII., p. 199, No. 5), draws attention to the fact that the police regulations of 21st November, 1908 (Text E.B. IV., p. 179, No. 1), are partially replaced by these Imperial provisions.

*Hesse.* A Notification dated 21st February, 1910 (Title E.B. VII., p. 202, No. 1), re-models the notice prescribed under §IV. of the Notification of 20th November, 1906 (R.G.Bl. No. 26, p. 356), in pursuance of the Notification of the German Imperial Chancellor, dated 15th November, 1903 (Text G.B. II., p. 487, No. 2), respecting the employment of women and young persons in brick works, and of §154, paragraph 2, of the Industrial Code, as amended by the Act of 28th December, 1908 (E.B. III., p. 335, No. 3).

*Saxony.* The wording of the Industrial Code does not give sufficient grounds to decide the point of law whether, under §136, paragraph 1, last sentence, it is permissible without further formality to dispense with the midday break of young persons, if their period of employment in the afternoon is less than 4 hours, although they have a period of employment in the morning of more than 4 hours broken by a period of half-an-hour for rest, or whether a

permit is necessary for arranging the work of young persons in this way, in accordance with §139, paragraph 2, of the Industrial Code. The Saxon Ministerial Decree, dated 13th February, 1911 (Title E.B. VII., p. 200, No. 4), supported in agreement with the Prussian Decree of 31st January, 1910 (Annual Reports of the Industrial Inspectors and of the Mining Authorities in Alsace-Lorraine for 1909, p. 39), the view that no objection should be raised to employers dispensing with the half-hour break, in the case of 8 hours' work divided into unequal parts in the morning and afternoon, if the duration of no single part of the work exceeds 4 hours, and that no special permit is necessary, in such cases, under §139, paragraph 2, of the Industrial Code.

**GREECE.** Apart from the Act No. 1178, dated 18th April/1st May, 1884, respecting the Marine Invalidity Fund which was later on repeatedly amended (extract of the edition of 6th-19th July, 1907, E.B. IV., p. 111), the first beginnings of labour legislation in Greece are to be found in the Act No. 2841 of 21st February/6th March, 1901, respecting compensation for persons meeting with accidents in mines and smelting works, and their dependants (Text G.B. I., p. 286), and in the Act No. 3220 of 1907, respecting the Pensions Fund for the staff of the Piraeus-Athens-Peloponnesus Railway Company. But a serious attempt towards the introduction of systematic labour legislation was not made until after the peaceful revolution of 14th/27th August, 1909. The Venizelos Government came into power with a programme which contained a whole series of Bills on social questions. The Chamber, in which the Prime Minister was sure of an overwhelming majority, adopted part of this programme. This legislative activity was based upon the ideas of social legislation which had found expression of recent years, especially since 1909, and which were represented principally by the Sociological Society, which was then founded—an organisation, the leading members of which had procured their training essentially in Germany, and which had procured representation in Parliament at the elections of 1910, and there founded a party inspired by the same principles.

Since 1909, the following Labour Laws have been enacted in Greece :—

(1) Act, No. 3455, of 7th/20th December, 1909 (Text E.B. V., p. 283), respecting Sunday and holiday rest.

(2) Act, No. 3544, of 22nd January/4th February, 1910 (Text E.B. VII., p. 277, No. 1), to amend the above-named Act.

(3) Act, No. 3616, of 11th/24th March, 1910 (Text E.B. VII., p. 278, No. 2), amending the above-named Acts.

(4) Act, No. 3524 of 1910, respecting mines and smelting works (*inter alia* prohibiting the employment of women underground and at night, absolutely prohibiting the employment of children under 12 in heavy work; prohibiting conditionally the employment of young persons from 12 to 16 years of age in heavy work; obligation of the employers to take measures for the safety of the workers).

(5) Act, No. 3932 of 12th/25th November, 1911 (Text E.B. VII., p. 280, No. 3), respecting the establishment of a Department of Labour and Social Questions at the Ministry of National Economy.

(6) Act, No. 3934 of 19th November/2nd December, 1911 (Text E.B. VII., p. 282, No. 4), respecting hygienic conditions and the safety of workers, and respecting working hours.

(7) Act, No. 3974 of 31st December, 1911/13th January, 1912 (Title E.B. VII., p. 283, No. 5), concerning decisions on disputes arising between workers and employers with respect to the payment of earnings and wages.

(8) Act, No. 4028, of 24th January/6th February, 1912 (Text E.B. VII., p. 283, No. 6), concerning the regulation of the service of railway and tramway employees.

(9) Act, No. 4029, of 24th January/6th February, 1912 (Text E.B. VII., p. 285, No. 7), concerning the work of women and minors.

(10) Act, No. 4030, of 24th January/6th February, 1912 (Text E.B. VII., p. 290, No. 8), concerning the payment of wages of workers and the wages of servants and employees.

## XLII.

The principal provisions of No. 9 (*i.e.* the Act, No. 4029, of 24th January/6th February, 1912) respecting the work of women and minors, are reproduced briefly below; the other new Acts (Nos. 2, 3, 4, 5, 6, 7, 8 and 10) contained in Volume VII. of the *Bulletin* of the International Labour Office, are dealt with in their corresponding divisions.

The Bill introduced into Parliament by the Government on 16th/29th June, 1911, was improved to a considerable extent by the Parliamentary Committee (Report of the Committee); in particular, the Committee proposed the creation of a special system of labour inspection. The reporter, Dr. A. Papanastasiu, in his report, emphasised the far-reaching importance of the Bill, which not only regulated the work of numerous women and young persons who were specially in need of protection, but also affected the work of adult men in trades in which they worked with the protected classes. The absence of statistical information respecting the number of persons employed in industry and their conditions of work, ought not to prevent the Chamber from adopting the Bill. The first debate by clauses took place on 13th/26th December, 1911, the second on 20th December, 1911/2nd January, 1912, and the general debate on 21st December, 1911/3rd January, 1912.

According to the Act, children under 12 may not be employed as workers or apprentices in factories and workshops, in quarries, and mines, in building work, in the carrying trade, in commercial concerns, in hotels, restaurants, etc. From the year 1917 onwards, this prohibition will also apply to children between 12 and 14 years of age who have not completed their elementary course of instruction. An exception is allowed in the case of the employment of children over 10 under the direction of their father, mother or guardian, if the work is not dangerous or injurious, does not hinder their regular attendance at the elementary school, and is not carried on for more than three hours a day. As regards hours of work, the rule applies that in factories and workshops, quarries, mines, and building undertakings, children under 14 may not be employed for more than 6 hours, young persons under 18 and women for more than 10 hours a day, or 8 hours on Saturdays and the eves of holidays. Regular breaks for rest must be allowed to the protected classes (children, at least half-an-hour; young persons and women, at least 2 hours, and on Saturday, 1 hour). Exceptions may be allowed, by Order, for specified occupations, provided that a break of at least 1 hour must be allowed after not more than 6 hours' work. The protected persons may not be given work to take home after the conclusion of the maximum legal hours of work. On Sundays and holidays the regular employment of young persons under 16, and of women, is prohibited in all the classes of industry coming under the Act with the exception of the carrying trade. Another day may be substituted for Sunday in certain undertakings by a resolution of the Communal Council. Young persons under 18 and women may not, on principle, be employed at night, *i.e.* between 9 p.m. and 5 a.m., in factories and workshops, quarries and mines, building work, and commercial establishments, and they must be allowed an uninterrupted night's rest of at least 11 hours. An exception is allowed in the case of women over 18 years of age in branches of manufacture in which night-work is necessary in order to avoid the deterioration of raw materials or of the products of work. By this provision, the Act (see Report of the Committee, p. 13) not only conforms to the International Convention of Berne of 26th September, 1906 (Text E.B. I., p. 272), respecting the prohibition of the night-work of women in industrial occupations, but it also satisfies the

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demands which the International Association for Labour Legislation has expressed repeatedly as regards the prohibition of the night-work of young persons. The Government Bill contemplated a general prohibition of night-work for young persons under 15 and women. But the majority of the Committee was of opinion that a general prohibition of this kind was not clear enough, and would give rise to anomalies in administration, and that it would be more practical to prohibit the night-work of young persons under 18 and of women in industrial establishments, the building trade, mines and 'commercial establishments, and to allow exceptions on the lines of the Berne Convention and of later legislations such as the Austrian and German laws. In committee, it was proposed that the prohibition of the night-work of young persons should be extended to hotels, restaurants, confectioners' businesses and such-like undertakings; but the majority of the members of the Committee came to the conclusion that the time was not ripe for such a general extension of the prohibition in the present circumstances, that it would lead to many anomalies, and that, for the present, it would be sufficient to prohibit the employment of children from 12 to 14 years of age after 10 p.m. in these occupations. In the case of unforeseen interruptions of work resulting from accidents, exceptions to the provisions relating to hours of work, breaks, and night-work, may be allowed for a period not exceeding four weeks as regards young persons over 16 years of age. In seasonal trades and in the case of extraordinary accumulation of work, the employment of young persons and women may, for a term not exceeding four weeks, be extended to 12 hours a day, except on Saturdays; in these circumstances, the uninterrupted night's rest may be reduced to 10 hours, beginning at 10 p.m. Street trading is prohibited altogether for children under 14 and for children under 16, between 9 p.m. and 5 a.m.; the sale of newspapers by boys over 12 is excepted. Similarly, the regular employment of children under 14 is prohibited in public performances, and that of young persons under 15 and women in underground work in mines and quarries. Women may not be employed for four weeks before and four weeks after their confinement. The employment of children, young persons and women in work which exceeds their strength or is injurious to their health or morality, may be prohibited by Order. The employment of young persons under 16 in factories and workshops, quarries and mines, building undertakings and the carrying trade is only permitted after a medical examination, the result of which must be entered in the work-book provided by the Mayor. The employment of persons under 18, or women, in factories and workshops, quarries and mines and building undertakings must be notified by the employer to the police authority before the work begins. Employers are bound to present to the police authority, within three months of the coming into force of the Act, a list of the children, young persons and women employed by them; particulars of the hours of work and the names of the persons employed must be posted up in all workrooms. Contraventions are punished by fines of from 25 to 1,000 drachma imposed upon the employers or the parents; the fines are paid into the Workmen's Provident Fund which is to be established. The enforcement of the Act and of all other Labour Laws, except the mines and railway laws, is entrusted to the police authorities and to a Labour Inspection Board set up in the Ministry of National Economy (Department of Labour and Social Questions); the inspectorate consists of two grades of labour inspectors and two grades of labour overseers; the director of the Ministerial Department of Labour and Social Questions possesses the same functions as the labour inspectors. The inspectors are authorised to visit the establishments subject

to inspection at any time during the day, and during the night also where work is carried on at night, and to take proceedings in respect of any contraventions of the law which they observe. They are bound to observe secrecy with regard to trade secrets and they are required to present a report on their work annually to the Minister of National Economy.

**NETHERLANDS.** The Decree of 12th July, 1909 (Text E.B. V., p. 135, No. 23), allowed the night-work of young persons in connection with the smelting and cooling furnaces of glass factories under certain conditions for a certain period of transition (for young persons aged 14, 1 year; for those aged 15, 2 years). The period of transition which was extended for both classes of young persons to 1st August by the Decree of 27th July, 1910 (E.B. VI., p. 92, No. 17), has been further extended to 1st January, 1912, by a Decree of 17th July, 1911 (Title E.B. VII., p. 37, No. 5).\*

**SPAIN.** When, after the signing of the International Convention of Berne on 26th September, 1906 (Text E.B. I., p. 272), the Spanish Government submitted to the Cortes a Bill for carrying out the said Convention, the latter demanded that first of all the necessary investigations should be carried out by the Institute for Social Reform. On 26th September, 1910, its preliminary work had so far progressed that the Government was able to submit its Bill to Parliament. The first clause of the Bill prohibited the night-work of women in all industrial establishments with more than ten workers. The minimum night's rest of 11 hours was to include the period from 10 p.m. to 6 a.m. Exceptions to the prohibition were allowed in the case of interruptions of work due to *force majeure* and industries where very perishable goods were treated. In seasonal trades and other trades, under extraordinary circumstances, provision was made for allowing a reduction of the night's rest to 10 hours on 60 days in the year. The Bill fixed 14th January, 1912, as the date on which the prohibition of night-work of women should come into force; transitory periods of 10 years were intended to facilitate the adoption of the provision in the beetroot sugar industry, the wool combing and spinning industry, and mines which were obliged to suspend working during four months every year by reason of climatic conditions. On 16th November, 1910, the Bureau of the International Association for Labour Legislation petitioned the Spanish Government and the Cortes, through the Spanish Section, asking that the Bill should be accepted. The Bill came up for discussion on 21st and 23rd November.

The discussion in the Chamber of Deputies was a short one. In accordance with a motion of the Committee, and contrary to a motion of Deputy Iglesias Posse to remove all limitations in respect of the number of workers, the Chamber extended the applicability of the prohibition to all concerns employing more than five workers, required that the night's rest should always include the hours from 9 p.m. to 5 a.m., struck out the reduction of the night's rest during 60 days and the transitory provisions, added the power to impose penalties upon employers for infringing the Act, and postponed the date on which the Act should come into force to 14th January, 1913.

In this strengthened form the Bill was sent, on 1st December, to the Senate, when the Catalonian cotton spinners raised objections. During a protest meeting in Ripoll it was declared that the prohibition of night-work would be ruinous to the prosperous cotton industry of the Catalonian mountain

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\* See footnote (†) on p. IX.

districts (where approximately 6,000 men and 20,000 women are employed, with 1,800,000 spindles), and it was decided to undertake an energetic propaganda in favour of exemption. In explanation of these proceedings, it must be called to mind that the majority of the Catalan spinning works are driven by water power. As the supply of water from the Spanish rivers is very irregular, in consequence of frequent periods of drought, the manufacturers are compelled to utilise the favourable periods to the utmost, from which fact the system of uninterrupted work has taken its origin. Thus about 10,000 women were compelled to do night-work. It should be specially noted that the opposition to the prohibition of night-work was confined to the mountainous districts, while the competing undertakings established in the low country, which depend on coal fuel, stood aloof from the movement.

The Committee of the Senate, which reported on 8th May, 1911, met the cotton spinners, by incorporating in the Bill a provision to the effect that in this industry the legal prohibition should not come into force until 14th January, 1914. On the other hand, manifestations in favour of the prohibition of night work made their appearance. Of these we may mention the May-day petition of the Socialists, and a petition of the Socialist Women's Society of Madrid, which pronounced in favour of the acceptance of the Bill; a report of the "Sociedad Económica de Amigos del País" of Barcelona (a public welfare society), which recommended the prohibition on principle, but wished to extend the transitory period for cotton spinning mills from two to five years; the resolution of the employers' association, "Fomento del Trabajo Nacional," according to which the night-work of married and widowed women should be prohibited from 1912, while for the other women a transitory period of 10, or, if necessary, of 15 years should be provided; and, finally, a petition presented to the President of the Council, Senor Canalejas, in a personal audience, by members of the Spanish Section of the International Association for Labour Legislation, to the effect that the Act should be carried through at an early date.

On 11th July, 1912 (Text E.B. VII., p. 398, No. 2), the Cortes finally gave their assent to the prohibition of the night-work of women in the following form: The employment of women in factories and workshops at night (the limitation proposed by the Chamber of Deputies to works with more than five workers was deleted) is prohibited. The night's rest must be of at least 11 hours' duration, and include, in any case, the hours from 9 p.m. to 5 a.m. Exceptions to the prohibition are allowed—(1) in cases of *force majeure* and (2) in agricultural and other industries dealing in perishable raw materials, provided that there are no other means available of preventing the loss of the raw materials. The 14th January, 1914, is fixed as the date on which the Act shall come into force. For the textile industries, the following exceptional provisions apply: the night-work of married women and widows with children is prohibited from 14th January, 1914. As regards unmarried women and widows without children, the number of such persons employed in night-work is to be reduced every year by 6 per cent. up to 14th January, 1920; from that day onward the night-work of women will be entirely prohibited.

**SWITZERLAND:** *Canton of Ticino.* By the Act dated 15th January, 1912 (Text E.B. VII., p. 292, No. 2), the Swiss Canton of Ticino regulated the employment of women in industrial concerns not subject to the federal legislation, and in warehouses, shops, and offices. A Bill on the same subject had been introduced in the Grand Council by the Government as early as 1907;



but various reasons, such as a change in the management of the Department of Hygiene, had caused the Government to postpone the Bill. By a message dated 6th November, 1911, the Government submitted their Bill to the Grand Council in a new form, supplemented and extended in many respects. The Bill of 1907 had only contemplated work in warehouses and shops; the new Bill covered, in addition, the work of women in industrial concerns not subject to the federal legislation (excluding agricultural work), *i.e.*, in establishments with motor power or of a dangerous nature employing not more than five, and other establishments employing not more than 10, workers. Since the Grand Council included in the sphere of application of the Act work in offices as well, the new Act implies an almost unlimited recognition of the day of rest. The principal provisions of the Act are: the employment of girls under 14 is prohibited; women may not be allowed to work for six months after their confinement; women in a condition of advanced pregnancy may leave work at any time merely on giving notice. The working hours may not exceed 11 a day, or 10 hours on Saturdays or the eves of holidays; the mid-day break must amount to at least one hour. Night work, *i.e.*, work between 9 p.m. and 6 a.m., is prohibited; women must be allowed an uninterrupted night's rest of at least nine hours. Women have the right to one day of rest a week, which they may choose in agreement with the employer, and which must fall on Sunday for preference. Overtime may not be carried on after 10 p.m., or extend the normal working day by more than two hours. Workers may not be given work to take home.

The Technical Apprenticeship Act of 15th January, 1912 (Extract E.B. VII., p. 404), contains provisions respecting contracts of apprenticeship, the duties of masters and apprentices, and supervision by the State authorities. The maximum working day, including the time necessary for attending trade schools, is fixed at 10 hours. Work on holidays and at night (between 8 p.m. and 6 a.m.) is prohibited; but the Government may allow exceptions under certain conditions.

[See also:—1.0, Netherlands; 1.2, France, Italy; 2.00, France, German Empire, Netherlands, New South Wales, Saskatchewan, South Australia, Victoria; 2.02, Greece; 2.04, German Empire; 2.05, France, Queensland; 2.08, Australian Commonwealth; 2.11, Victoria; 2.12, Netherlands; 2.192, United Kingdom; 2.193, France; 2.195, Austria, Austria below the Enns; 2.6, Austria, Netherlands, New South Wales, United Kingdom, United States of America; 4.1, Italy; 4.3, Bremen.]

## 2.02. HOURS OF WORK; SUNDAY WORK.

**AUSTRIA-HUNGARY.** *Austria.* The collection of regulations issued by the Provincial Authorities respecting Sunday Rest and the closing of shops, published in the *Bulletin*, Vol. VI., p. XLVIII., has now to be supplemented by the following:—

### ORDERS RESPECTING SUNDAY REST.

#### *Upper Austria.*

Order dated 4th May, 1912. LGBI. No. 16 (Soziale Rundschau 1912 II., 169).

#### *Styria.*

Notification dated 22nd May, 1911. LGBI. No. 26 (S.R. 1911, II., 276).

Notification dated 30th October, 1911. LGBI. No. 55 (S.R. 1911, II., 384).

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### *Salzburg.*

Notification dated 1st September, 1911. LGBL. No. 44 (S.R. 1911, II., 423).

Notification dated 17th April, 1912. LGBL. No. 14 (S.R. 1912, II., 170).

Notification dated 26th May, 1912. LGBL. No. 24 (S.R. 1912, II., 295).

Notification dated 27th May, 1912. LGBL. No. 26 (S.R. 1912, II., 295).

Notification dated 28th September, 1912. LGBL. No. 39 (S.R. 1912, II., 515).

Notification dated 22nd October, 1912. LGBL. No. 43 (S.R. 1912, II., 515).

### *Carinthia.*

Notification dated 25th April, 1912. LGBL. No. 20 (S.R. 1912, II., 171).

### *Carniola.*

Notification dated 14th June, 1912. LGBL. No. 33 (S.R. 1912, II., 296).

### *Littoral.*

Notification dated 25th February, 1912. LGBL. No. 5 (S.R. 1912, II., 82).

Notification dated 17th March, 1912. G. u. V. Bl. No. 6 (S.R. 1912, II., 171).

### *Tyrol.*

Order dated 10th September, 1911. LGBL. No. 102 (S.R. 1911, II. 424).

### *Silesia.*

Order dated 6th February, 1912. G. u. V. Bl. No. 8 (S.R. 1912, II., 171).

Order dated 14th September, 1912. LGBL. No. 55 (S.R. 1912, II., 516).

### *Galicia.*

Notification dated 4th March, 1912. LGBL. No. 26 (S.R. 1912, II., 172).

### *Bukovina.*

Order dated 6th October, 1911. G. u. V. Bl. No. 46 (S.R. 1911, II., 424).

## SHOP CLOSING ORDERS.

### *Littoral.*

Order dated 11th July, 1911. G. u. V. Bl. No. 24 (S.R. 1911, II., 275).

In addition, a Ministerial Order to amend the Shop Closing Order of 28th April, 1910 (see E.B. VI., p. XLIX.) for Franzensbad was issued on 26th July, 1912 (R.G.Bl. No. 150; S.R. 1912, II., 383).

**FRANCE.** In accordance with an opinion issued by the Council of State on 22nd June, 1910 (Title E.B. VII., p. 363, No. 6), respecting the interpretation of §50 of the Mining Act of 21st April, 1810/23rd July, 1907 (Text E.B. II., p. 384, No. 13), the administration has the undoubted right of prescribing the necessary measures for the protection of the health and safety of workers, but the regulation of hours of work must, nevertheless, be effected by legislation.

**GREECE.** (1) Next to the Act, No. 4029, of 24th January/6th February, 1912 (Text E.B. VII., p. 285, No. 7; cf. introduction, p. XLII.), respecting the work of women and young persons, the most important of the new labour laws of Greece is the Act, No. 3934, of 19th November/2nd December, 1911 (Text E.B. VII., p. 282, No. 4), respecting hygienic conditions and the safety of workers, and respecting working hours, in the discussion of which the question of a maximum working day led to heated debates. The Bill, which

the Government submitted to Parliament on 12th-25th June, 1911, contained, indeed, no legal provisions respecting hours of work, but limited itself to giving the Government power to issue regulations respecting hours of work by Order, after consultation with the Superior Labour Council. The Committee (Report of Sp. J. Theodoropoulos, dated 2nd-15th July, 1911, p. 5), however, regarded this provision as inadequate, and proposed a new §2, according to which the daily hours of work of adult workers in industrial concerns, in the building trade, in the cutting of marble in the open-air, and in mines and quarries, should not exceed 10 hours, or 8 hours for night-work. But in the second reading, the new §2 proposed by the Committee was rejected by the Chamber. As regards the extent to which the workers were endangered by industrial work, the Committee regretted the absence of any official statistical data. They had merely obtained some information from a private inquiry into the conditions of the working classes in Greece published in a Memorial drawn up by the Central Labour Office of Athens in May, 1911, and from a document submitted to them containing 45 Memoranda by State Labour Organisations and some statistical tables of the Statistical Bureau of the aforesaid Central Labour Office. Out of this material the Committee mentions the following instances of the lack of State intervention :—

(a) Within the 15 years 1895-1910, out of 650 workers in the printing trade in Athens, 81 died ; the cause of death was tuberculosis of the lungs in 75 cases, and apoplexy in 3 ; 2 workers died of other diseases and 1 of old age ; (b) in the course of 30 days in the months of June and July, 1911, there were, in the territory of the city of Athens, six industrial accidents, including one to a mill-worker who had his neck broken, a fatal fall from a height of 7 metres, and the loss of a hand by a driving belt.

The Act No. 3934 of 19th November/2nd December, 1911 (first debate by clauses on 9th-22nd July, 1911, second debate by clauses on 4th-17th November, 1911, general debate on 5th-18th November, 1911 ; Text E.B. VII., p. 282, No. 4) requires all employers to arrange and maintain their factories, workshops and other premises, and the machinery, apparatus, etc., in them, in such a manner that the workers are protected from risk to life, health and limb, in so far as the nature of the undertaking will allow. In particular, the employer must see that the necessary cleanliness is observed in workplaces, that the workrooms are sufficiently light or illuminated by artificial light, that they are adequately large and ventilated, and dry, that the machines and scaffolding are arranged in such a way as not to endanger the life and safety of the workers, and that in the case of work in the open-air, the persons employed are protected from any danger, and during the summer, from the effect of the rays of the sun, in particular. On the proposal of the Superior Labour Council, the hours of work and periods of rest may be regulated by Royal Decree in any industrial undertaking according to its particular nature. Contraventions are punishable by fines of from 50 to 500 drachmas, payable to the Workmen's Provident Fund, which is to be established. The Act came into force on 1st-14th January, 1912.

(2) The Sunday Rest Act, No. 3455, of 7th-20th December, 1909 (Text E.B. V., p. 283), has been amended by the Acts No. 3544 of 22nd January/4th February, 1910 (Text E.B. VII., p. 277, No. 1) and No. 3616, dated 11th-24th March, 1910 (E.B. VII., p. 278, No. 2).

(a) Amending Act No. 3544 : Whilst §4 of the principal Act exempted butchers' shops from the duty of observing the Sunday rest, and §13 allowed fruiterers' and greengrocers' shops to remain open from 9 a.m.

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until 2 p.m., the amending Act No. 3544 provides that these establishments shall be shut in general on Sundays, and only allows butchers' shops to remain open during certain hours of the afternoon for the purpose of preparing the goods for Monday. Industrial concerns, tailors' workshops and milliners' businesses must remain closed during the whole of Sunday. §3 contains a further provision that in these industries women may not be employed after 8 p.m. This attempt at prohibiting night-work was later renewed on a broader basis by the Act, No. 4029, of 24th January/6th February, 1912 (Text E.B. VII., p. 285, No. 7; see Introduction, p. XLII.), respecting the work of women and young persons.

(b) Amending Act No. 3616: §4 (7) of the principal Act exempted establishments where food required for immediate consumption is manufactured, from the duty of observing Sunday rest, but the amending Act subjects bakehouses to the Act by prohibiting, with certain exceptions for special processes, employment in these establishments in winter from 9 a.m. to 5 p.m., and in summer from 9 a.m. to 6 p.m. The rules respecting the opening of wine shops, grocers' shops, cook-shops and spirit businesses, greengrocers' and fruiterers' shops, tobacco shops, hairdressers' shops and chemists' shops, and also the provisions respecting the sale of newspapers on Sundays, have been altered in various respects.

*ITALY:* §2 (c) of the Sunday Rest Act of 7th July, 1907 (Text E.B. II., p. 288, No. 1), provides that industries with recognised periods of extraordinary pressure should be exempt from the obligation to grant an unbroken period of rest of 24 hours' duration. In the Decree of 31st October, 1908 (E.B. V., p. 286, No. 1) and the supplementary Decree of 7th August, 1909 (Text E.B. V., p. 301, No. 3), the industries enjoying this exemption were enumerated. A Decree dated 11th April, 1910 (Text E.B. VII., p. 27, No. 2), extends this exemption (six weeks in the months of December and January), to daily journals as regards the staff employed in receiving subscriptions and in the preparation and printing of the addresses, provided they are in the direct employment of the undertaking.

*SOUTH AUSTRALIA.* On the occasion of the accession of King George V., an Act dated 30th November, 1910 (Title E.B. VII., p. 348, No. 6), was adopted consolidating the former provisions respecting public holidays and Bank-holidays which were scattered in the Bank Holiday Acts, No. 19 of 1875, No. 571 of 1893, and No. 976 of 1909, and in §31 of the Civil Service Act of 1894.

*SWITZERLAND. Ticino.* On 15th January, 1912, an Act was adopted in the Swiss Canton of Ticino respecting holiday rest in technical and administrative offices in industrial and commercial concerns of a private nature (Text E.B. VII., p. 291, No. 1). The Bill, which was introduced in the Grand Council with a message dated 6th November, 1911, differed from the form of the Bill introduced in 1907 only in so far as it included a regulation respecting 10 days' uninterrupted leave in the year, an innovation which had already been adopted in public establishments. The Bill, which was passed by the Grand Council without amendments, provides that employees and apprentices in the above-named establishments shall not be employed on Sundays and legal holidays. In some cases, work is allowed on holidays for not more than three hours in the morning, but the exception does not extend to women or to apprentices under 18 years of age. Every employee has the right to a

holiday of 10 consecutive days every year, which he is to choose in agreement with the principal.

[See also :—1.0, Netherlands ; 2.00, German Empire, Netherlands, New South Wales, Saskatchewan, South Australia, Victoria ; 2.01, Austria, Belgium, France, German Empire, Greece, Hungary, Netherlands, Saxony, Spain, Ticino ; 2.07, France, United States of America ; 2.08, German Protectorates ; 2.10, Italy ; 2.11, Victoria ; 2.12, Netherlands ; 2.18, Bremen ; 2.192, Austria, Bremen, Lübeck, United Kingdom ; 2.193, France, Greece, South Australia ; 2.194, Malta ; 2.195, Austria below the Enns ; 2.196, Basle Town, France, United Kingdom.

### 2.03. INDUSTRIAL HYGIENE ; PREVENTION OF ACCIDENTS.

*AUSTRIA-HUNGARY. Hungary.* The Bill respecting the prohibition of the manufacture of matches with white or yellow phosphorus. introduced by the Minister of Commerce into the Hungarian House of Representatives on 26th October, 1910, became law on 16th January, 1911 (Text E.B. VII., p. 209). The use of white or yellow phosphorus in the manufacture of matches and the importation of such matches is forbidden ; it is also prohibited to store or sell them or to bring them on the market in any other way. The permission of the industrial authorities will not be given any longer for the erection of new works for making white phosphorus matches or for the extension of old works. The Minister of Commerce is further authorised to prohibit the importation of matches made with other injurious materials. The manufacture of white phosphorus matches contrary to the Act is punishable by a fine of from 2,000 to 4,000 kr. and with imprisonment for a term not exceeding two months in case of a repetition of the offence ; other contraventions of the Act are punishable by fines of from 20 to 600 kr. or of 100 to 2,000 kr. and imprisonment for a term not exceeding 15 days in case of a repeated offence. The prohibition to manufacture phosphorus matches came into force on 1st January, 1913 ; the prohibition to store, sell them, etc., will come into operation on 1st July, 1913.

*BELGIUM.* §43 of the Act of 5th June, 1911 (Extract E.B. VII., p. 154, No. 14), supplementing and amending the Acts of 21st April, 1870, and 2nd May, 1836, respecting mines, pits, and quarries, repealed, amongst other provisions, those contained in the principal Act (§§73-80) respecting the granting of official permission to carry on smelting works. Consequently, a Decree dated 28th August, 1911 (Text E.B. VII., p. 353, No. 2), amended by another decree dated 31st January, 1912 (Text E.B. VII., p. 359, No. 12), replaces the heading already contained in the list of scheduled trades (Appendix to the Decree of 31st May, 1887), which read "blast furnaces, hammer works, and smelting works," by a detailed list of establishments of this kind. The Decree of 28th August, 1911, subjects these establishments to inspection by the mining engineers. Further, in the list of scheduled trades the heading "preparation of skins and furs" has been altered by a Decree dated 5th March 1912 (Text E.B. VII., p. 361, No. 19), which repeals the earlier Decrees dated 15th August, 1898, and 28th February, 1911 (Text E.B. VI., p. 151, No. 20).

*FRANCE.* By the Decree dated 2nd June, 1911 (Text E.B. VII., p. 369, No. 41), §§16, 17, and 20 of the Decree of 29th November, 1904 (Text F.B. III., p. 455, No. 2), respecting the health and safety of workers, as amended by the Decree of 22nd March, 1906 (Title E.B. I., p. 188, No. 1), were repealed and replaced by new provisions. The new regulations deal

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with exits, staircases, lighting and heating, and instructions in the event of fire. The Minister of Labour may grant exemptions from some of the provisions of this Decree if the safety of the workers is assured by existing arrangements of at least equal value.

**GERMANY. Prussia.** A Ministerial Decree dated 5th January, 1912 (E.B. VII., p. 187, No. 10), supplements and codifies the principles contained in the earlier Decrees of 2nd July, 1892, 31st December, 1896, and 20th June, 1904, respecting the installation and management of water gas and semi-water gas and suction gas plants.

As a result of a petition of the Association of German Electrical Engineers, in which it was pointed out that, in attempts to restore persons having come into contact with an electric current, mistakes are often made and that the guide to first-aid in the case of electrical accidents drawn up by the Association with the co-operation of the Imperial Board of Health (*cf.* Decrees of 17th October, 1903, H.M.Bl., p. 342, and 20th August, 1907, H.M.Bl., p. 326) was not sufficiently known, a Ministerial Decree dated 10th January, 1912 (Title E.B. VII., p. 188, No. 13), anticipates a general police regulation, and instructs the industrial inspectors, mining inspectors, etc., to guide employers in the matter of scientific efforts at restoration.

**GIBRALTAR: MALTA: LEEWARD ISLANDS.** As will be seen from the tables appended, a number of British Colonies have issued Orders concerning the prohibition of the manufacture, sale, and importation of white phosphorus matches; these Orders follow closely the wording of the British Act of the 21st December, 1908 (Text E.B. III., p. 373, No. 7). Orders on this matter issued by the following States are contained in the present volume of the *Bulletin*: Gibraltar (2nd March, 1910; Text E.B. VII., p. 323, No. 2); Malta (28th June, 1910; Text E.B. VII., p. 261; the Leeward Island of Antigua (6th August, 1910; Text E.B. VII., p. 262, No. 2); and in an identical form the remaining Presidencies of the Leeward Islands: Dominica (25th October, 1910), Montserrat (22nd July, 1910), St. Christopher and Nevis (25th October, 1910), Virgin Islands (27th August, 1910).

**GREAT BRITAIN AND IRELAND.** In 1895 the Home Office appointed a Committee to investigate the conditions of work as regards bronzing in lithographic printing works. The Committee reported in 1896 (Interim Report of the Departmental Committee upon certain miscellaneous dangerous trades, 1896, pp. 6-9, Eyre & Spottiswoode, Cd. 8149, price 3½d.). As a result of this report, the Home Office issued in 1903 some "voluntary regulations," which were amended in 1908. The results of a second investigation carried out by a new Departmental Committee in 1909 were published by the Home Office in 1910 under the title "Report upon the Conditions under which Bronzing is carried on in Factories and Workshops," by Edgar L. Collis, W. Sidney Smith, and Rose Squire (32 pages, Wyman & Sons, Cd. 5328; price 4½d.). In this report it was recommended that formal regulations should be issued. On 11th April, 1912, the Secretary of State for the Home Department issued an Order (Text E.B. VII., p. 321, No. 16), containing regulations, as recommended by the Committee, for preventing the injurious effect of dust in bronzing with dry metallic powders, in letterpress-printing, lithographic printing, and coating of metal sheets.

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*NETHERLANDS.* By a Decree dated 20th October, 1911 (Title E.B. VII., p. 181, No. 1), the regulations in pursuance of the Steam Act of 15th April, 1896 (Decrees of 19th October, 1896, and 25th June, 1906), were amended.

*SOUTH AUSTRALIA.* The use of passenger and other lifts is regulated in South Australia by an Act dated 11th November, 1908, and an Order dated 24th March, 1909 (Titles E.B. VII., p. 348, Nos. 3 and 4).

*UNITED STATES.* Act of 9th April, 1912 (Text E.B. VII., p. 145), to provide for a tax upon white phosphorus matches.

On 7th December, 1910, a Message of the President of the United States called attention to the dangers of phosphorus necrosis. In order to extirpate this poisonous industry he recommended that a heavy federal tax should be imposed on the manufacture of phosphorus matches. The Bill, which had been drafted by the American Section of the International Association for Labour Legislation, came up for discussion at the end of the session. As the largest firm concerned, the Diamond Match Company, were the owners of the patent for the non-poisonous sesquisulphide substitute, it was feared that the measure might result in an unfair advantage to this firm. The Committee of Congress therefore proposed that a fresh investigation should be undertaken, to include all questions regarding the manufacture of matches (monopoly, patents, import of raw materials, etc.); the Senate rejected this proposal and limited the question to whether or not white phosphorus matches formed a suitable subject for inter-State traffic. This restriction was again rejected by the House of Representatives. At this stage the Session came to a close. Before the opening of the next Session, the Diamond Match Company, upon pressure being brought to bear by the American Section of the International Association for Labour Legislation, renounced their sesquisulphide patent. In addition, on 30th November, 1911, at the request of the Section, the Bureau sent petitions to the President of the United States, to Vice-President Sherman, and to the Speaker of the House of Representatives, Mr. Champ Clark. The member in charge of the Bill, the Hon. John J. Esch, succeeded in procuring a fresh inquiry, which was undertaken on 10th January, 1912, by the Committee on Ways and Means (White Phosphorus Matches: Hearings before the Committee on Ways and Means of the House of Representatives, 62nd Congress, 2nd Session; H.R. 2896, Washington, Government Printing Office, 1912). The main questions which were here discussed were of a constitutional nature. It was shown that even advanced States would not prohibit white phosphorus for reasons of inter-State competition, and that consequently it would be necessary for the Federal Government to take action. On the other hand, the President of the American Section of the International Association for Labour Legislation, Professor Seager, informed the Committee that the City of New York had taken action to prohibit the use of white phosphorus matches, to take effect as from 1st January, 1913, for reasons of fire prevention. The chemists of Boston also petitioned for the prohibition in view of the danger of poisoning; the evidence of the medical inspector of factories of New York, Dr. Rogers, based on his experience in New York, confirmed the dangerous character of the white phosphorus match industry. The Secretary of the American Section of the International Association for Labour Legislation, Dr. John B. Andrews, submitted the results of his investigation of 150 cases of necrosis; he even succeeded in proving

that there had been cases of necrosis in the factory of a manufacturer who declared that there was no substitute for white phosphorus, that it was not dangerous, and that he had used it for six years, and never had a case of necrosis. (Hearings, pp. 48 and 90.) A large majority of the match manufacturers of the United States, representing approximately 95 per cent. of the entire production, admitted that various non-poisonous materials were already used as substitutes in the countries where phosphorus was prohibited, and that the provisions of the Bill (Esch Bill) were reasonable and expedient. Finally, the representative of the Diamond Match Company only desired that the date when the prohibition was to come into force should be postponed for one year. As regards competition, he declared that the British firm, Bryant & May, could underbid every American manufacturer, that Swedish firms could in their turn underbid the English, and that the Belgians could beat the Swedes. The cheapest production of all was, he declared, in Belgium, where little children were employed.\* (Hearings, p. 102.)

The debates in the House of Representatives commenced on 28th March, 1912 (Congressional Record, 62nd Congress, 2nd Session, Vol. 48, No. 90, p. 4151); the Bill was defended, in particular by Messrs. Longworth, Esch, and Bathrick. The objection that it would infringe upon the competency of the separate States was answered in an effective manner by Mr. McCall, who referred to Jefferson's dictum that the taxing power of the Federation need not necessarily serve only financial purposes, but also be used for purposes of public welfare. On third reading, the Bill was passed by 163 to 31 votes. In the Senate, the Bill was supported on 3rd April, 1912 (Congressional Record, 62nd Congress, 2nd Session, Vol. 48, No. 95, p. 4460), by Senators Lodge and Martine, and was adopted on third reading. On 9th April, the Act received the sanction of the President. By this Act, every manufacturer of white phosphorus matches is bound under a penalty of a fine not exceeding 500 dollars to register his firm and to pay a stamp duty of 2 cents for every 100 matches. The importation is prohibited from 1st January, 1913, and exportation from 1st January, 1914. In other respects, the Act came into force on 1st July, 1913.

[See also :—1.1, Netherlands ; 2.00, Netherlands, New South Wales, Saskatchewan, South Australia, Victoria ; 2.01, France, Germany, Greece ; 2.02, Greece ; 2.04, Germany, Prussia ; 2.08, German Protectorates ; 2.11, Belgium, Prussia, Spain, Victoria ; 2.12, France, Netherlands ; 2.14, Germany, Prussia ; 2.16, France, United Kingdom ; 2.17, Prussia ; 2.18, Hamburg, Schwarzburg-Sondershausen ; 2.19, France, Hesse, Prussia ; 2.191, Austria ; 2.193, Netherlands, Prussia ; 2.194, Malta ; 2.5, Baden, Prussia.]

#### 2.04. HOME WORK.

*GERMANY. Empire. Homework Act of 20th December, 1911* (Text E.B. VII., p. 7, No. 5). In the Memorandum justifying the reasons for the Bill for the Protection of Workmen presented by Freiherr von Berlepsch, Minister of State (Reichstagsdrucksachen, No. 4 of 1890), it was proposed for the first time to give certain powers to the Federal Council, viz., to extend industrial regulation from the factory to homework. ("It is to be hoped

\* The Belgian Industrial Census of 1896 showed that 176 children of from 12–14 years of age (nearly 7 per cent. of all the persons employed) were employed in the Belgian match industry, and that 47 of these were in factories making "Swedish" matches. In Belgium, there were 603 (23.3 per cent.) under 16 years old, as against 193 (8.5 per cent.) in the United States. (Recensement industriel 1896, Vol. VII., pp. 103, 104 ; and Census of Manufactures 1900, Vol. VII., pl. 1, pp. 30, 31.)



that it may be possible to issue, before 1st April, 1893, decrees of this kind for the greater branches of industry in which home-work competes with factory work.") In virtue of these powers incorporated in §154, paragraph 4, of the Industrial Code, the Federal Council has extended the provisions of the Industrial Code respecting young persons, women workers, notices, registers, posting up of the Act, overtime of women workers, dispensations and inspection, to workshops for ready-made clothing and linen (Order of 31st May, 1897, to 17th February, 1904; Text G.B. III., p. 2, No. 2), and workshops in the tobacco industry, except those where only members of the family are employed (Order of 21st February, 1907; Text E.B. II., p. 167, No. 3). Home-work was also affected to a certain extent by the Act for the Protection of Children of 30th March, 1903 (Text G.B. II., p. 1, No. 2), which included, *inter alia*, the employment of children in home industries.

In spite of these tendencies towards legislation for the protection of home-workers, nothing was done until the Berlin Home-Work Exhibition induced the parties in the Reichstag to initiate more energetic measures. In 1906, the representatives representing almost all the middle-class parties brought forward a motion to regulate homework, whilst the Social-Democrats demanded stricter regulation. With some modifications, the Government adopted the proposals suggested by the middle-class parties, and added the same to a Bill respecting the amendment of the Industrial Code of 16th December, 1907 (Drucksachen, No. 552). As the Session, however, was drawing to a close, the part of the Bill relating to home industry failed to get beyond the committee stage, and was therefore again submitted to the Reichstag on 11th February, 1910 (No. 237), as a special "Home Work Bill." During the first reading on 16th February, 1910 (Shorthand Report, 37th Sitting, p. 1311 *et seq.*), the representative of the Government, Dr. Delbrück, Secretary of State for the Interior, made the following statement:—

"That it was true that, as regards wages, the views of the Government and the Commission of the Reichstag were still opposed to each other, in so far as the Government, although it desired to influence the wages paid for homework by means of a certain publicity, did not wish to go so far as the Commission, which had demanded the establishment of State Wages Boards, whose function would be to fix minimum wages not merely for homework, but also for those establishments in which the same work was performed; besides this, the Commission had endeavoured, by means of regulations framed for that purpose, to make compulsory the standards fixed by collective agreements, even as regards those employers and employees who had not participated in the conclusion of the agreements. If the Federated Governments were to accede to all these wishes, the Reichstag would thereby tacitly accept one of the most contested principles around which the economic struggle of our time rages, viz., the question as to whether it is the function of the State to interfere in industrial contracts so far as to co-operate in the fixing of wages. Moreover, should the Labour Councils Act pass, it would doubtless be one of the first tasks of the Councils to take up the question of home work with a view to rendering assistance, and to encourage the conclusion of collective agreements."

The Commission appointed to consider the Act made further modifications and submitted the Bill in a new form to the Reichstag. Both in the debates of the Commission and in the subsequent plenary sittings (Shorthand Report, 210-212, Sitzings 27-29, November, 1911, Col. 8051 *et seq.*) the question of the regulation of wages again formed the chief subject of discussion.

Finally, against both the proposals of the Social-Democrats and of the Progressive Peoples' Party, for the legal regulation of wages, a proposal put forward as a compromise was adopted, establishing "Fachausschüsse" (Industrial Committees)—a kind of Labour Council with advisory functions and with authority to initiate and promote collective agreements without having legally binding force. In the course of the debate, on 28th November (Shorthand Report, 8112), the Secretary of State for the Interior, Dr. Delbrück, again declared :—

"That the Federated Governments must, under all circumstances, refuse their consent to legal regulations which would, in any way, require a compulsory fixing of wages with the co-operation of the authorities, as it was not the function of State and official organisations to interfere in this manner with labour contracts and with the economic relations between employers and employees. Other States could not be taken as a guide. A State like England, which virtually had no State administration, but was based on self-administration, in which the executive was independent of, and not even influenced by, Parliament, could much more readily make and carry out regulations than the German Empire. In Australia, the whole social, economic, and political edifice differed from that of the German Empire. In the Potash Act (Extract E.B. V., p. 169), such regulations had, unfortunately, been accepted. But in that case they might be viewed with indulgence, and there might even be a justification for the Empire, which by its own legislation had created this particular kind of monopoly, stepping in to regulate the economic conditions of the firms participating in the said monopoly.

"The Industrial Committees ought to be neutral authorities for the purpose of establishing the actual relations from an impartial point of view; at their head would be placed the officials of industrial inspection; the Government would consider it as of great importance that wages should be fixed with the assistance of these Committees. Cases in which wages are cut down to an abominable extent would thereby practically disappear; the industrial courts would make the opinion of the Committees the basis of their decisions. This, however, was for purely practical reasons the utmost that could be conceded in the interests of the home workers."

On 5th December, 1911, the Reichstag passed the Act in third reading, and its coming into force was fixed for 1st April, 1912.

The Act applies to workshops in which (1) a person employs exclusively persons belonging to his family, and (2) one or more persons perform industrial work, without being engaged by any employer directing the undertaking. Persons employed in such workshops are called home workers (Hausarbeiter; a new designation), which puts an end to the rather ambiguous distinction between "Hausgewerbetreibenden" (those carrying on industrial work at home) and "Heimarbeiter" (§1).

In addition to workshops within the meaning of the Industrial Code, rooms which serve as bedrooms, living rooms, and kitchens are also to be regarded as home workers' workshops, as well as workplaces in the open air (§1). As regards these workshops, at the instigation of the industrial inspectors, steps can be taken by means of police regulations for the protection of home workers against dangers to life, health, and morality, in which special attention is required to be paid to the health and morality of home workers under 18

years of age and of female home workers. Beyond the limits of the Act regulating the employment of children of 30th March, 1903 (Text G.B. II., p. 1, No. 2), the Police Authority may make the employment of children, whether by their own parents or not, dependent on their having attained a greater age, or may prohibit such employment altogether, and prescribe for other home workers under 16 years of age the hours for commencing and finishing the daily work, and the duration and time of breaks in work (§6). More far-reaching measures (§7) may be taken by the Police Authority with regard to homework connected with the preparation of articles of consumption, food-stuffs, etc. (protection of consumers); moreover, both the Federal Council and the Central State Authorities may set up further requirements for particular kinds of workshops and store-rooms and also for particular districts, and may forbid the performance of such work at home which would involve any considerable danger to the life, health, or morality of the home-workers or to the public health. Responsibility for compliance with the regulations issued rests with the homemaker or the person who has control over the workshop.\*

The following obligations are imposed upon the employer : In the rooms destined for the giving out and returning of homework, wages lists must be displayed or tables of wages posted up, so that the homemaker may obtain information as to the wages paid at any given time (§3). Anyone giving out work in any other way must supply the homeworkers at his own expense with wages books or work tickets describing the nature and extent of the work, and indicating the wages or prices fixed for the same (§4). The Police Authority may make rules for the avoidance of unjustifiable delay to homeworkers when receiving or delivering their work (§5). Retailers and middlemen must keep lists of the persons to whom they give out-work, and this list must be submitted to the local Police Authority and also to the industrial inspectors at any time on demand. In so far as proof of the suitability of the work-rooms is prescribed, they may give out homework only to workshops in respect of which the requisite proof is available (§13). Persons who give out foodstuffs, etc., to be made or prepared in home industries may be required by the authorities to ascertain at given intervals of time (at least twice a year), either personally or by deputy, whether the equipment and management of the workshops satisfy all requirements (§15). To the Industrial Committees (§§ 18-25) the following functions have been assigned, taken partly from the sphere of operation of the Labour Councils, the establishment of which by law was planned but not carried out, and partly from those of wages boards. They must assist the State and local authorities by furnishing information and by supplying them with expert opinions, and, in particular, they must co-operate with the authorities in connection with inquiries as to the industrial and economic conditions of the branches of industry they represent in their districts, and express their opinions respecting the administration of the Act and trade customs. Besides this, they are required to consider requests and proposals respecting the branches of industry represented by them, to promote measures for the improvement of the economic conditions and general welfare of homeworkers, and to assist in carrying these into effect, to ascertain the actual amount of wages earned, to give an opinion

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\* As the result of these regulations will be a considerable increase in the expenses incurred by home-workers for their workshops, 100,000 marks have been set aside in the Budget of the Department of Commerce and Industry in Prussia for 1912, under the heading "Promotion of Home Industries."

as to their adequacy, to make proposals for procuring more adequate remuneration, and to promote the conclusion of wages agreements or collective contracts. The Industrial Committees consist of an equal number of representatives of the employers and of the homeworkers concerned, an expert impartial president, and two expert assessors. If a large number of women homeworkers are employed, they must be proportionately represented on the side of the homeworkers. The number of representatives is to be decided by the State Authority. The same authority nominates the president, the assessors, and, after consultation with the employers and homeworkers concerned, one-half of the representatives of each party. These elect the remaining representatives from time to time. Persons violating the provisions of this Act are punished by a fine up to 2,000 marks and imprisonment for a term not exceeding four weeks. In cases of habitual transgression of the regulations respecting the employment of children other than their own, a sentence of six months' imprisonment may be pronounced. Homeworkers who employ members of their own family exclusively are liable to a fine (up to 30 marks), if they infringe the provisions issued for regulating the work, or allow such offences to be committed by members of their family.

As regards the recommendations of the International Association for Labour Legislation (see Resolution VII. of the Fourth Delegates' Meeting, Geneva, 1906, and Resolution VII. of the Fifth Delegates' Meeting, Lucerne, 1908), the following have thus been attained by the Home Work Act: Compulsory registration of workers; publication of the wages; wages books; extension of industrial inspection and of the sanitary requirements.

*Prussia.* A Ministerial Decree, dated 16th March, 1912 (Text E.B. VII., p. 191, No. 15), in pursuance of the Home Work Act, contains detailed regulations respecting authorities, publication of wages, wages books, and work tickets, the avoidance of unnecessary loss of time to homeworkers when delivering and receiving work, police orders and police regulations, the obligation to give notice, proof as to the condition of work-rooms, the keeping of registers, and supervision.

[See also:—2.00, Victoria; 2.01, Greece, Ticino; 2.03, Belgium; 2.05, United Kingdom; 2.6, Norway.]

## 2.05. PAYMENT AND PROTECTION OF WAGES; MINIMUM WAGE.

*ANTIGUA.* By an Ordinance of the Leeward Island, Antigua, dated 25th April, 1908 (Title E.B. VII., p. 262, No. 1), the payment of the wages of labourers is regulated. Subject to the provisions of this Ordinance, the employer must pay to every labourer, (*i.e.*, servant in husbandry, journeyman, artificer, handicraftsman, or person otherwise engaged in manual labour upon a plantation, whether such person be under or over the age of 21), his wages in the current coin of the realm. The wages must be paid at intervals of seven days, or at such other extended intervals (not exceeding one month) as may be agreed upon. Bank notes and drafts can only be used as means of payment with the free consent of the labourer. The employer may recoup himself for the supply of agricultural implements and capes or cloaks by deduction from the wages up to the real and true value of the articles supplied.

*AUSTRALIAN COMMONWEALTH.* The main features of the Australian legislation for the preservation of industry (Acts of 24th September, 1906, and 14th April, 1908, Text E.B. III., p. 237, No. 1), are described in

G.B. VII., p. lxxi. ; this legislation, like the excise tariff laws, safeguards the interests of the producers, workers, and consumers, and makes the protection of industry dependent on just and reasonable labour conditions, while on the other hand, it is intended to operate against foreign trusts in the interest of home industry. It greatly disappointed the expectations of the legislators. "In one brief sentence we may sum up the net result of the anti-trust legislation in Australia. It has been *nil*" (Senator Pearce, of Western Australia, Minister of Defence, in the Senate on 15th November, 1910, Parliamentary Debates, Session 1910, p. 6095). This failure is to be attributed to defects in the Act, and the hampering effect of several provisions in the Constitution, which limited the powers of the Government to too great an extent. Only two cases were dealt with by the High Court, with the result that two Sections of the original Act were declared contrary to the Constitution.

An attempt has now been made to extend this legislation by means of two amending Acts (No. 26 of 1909 and No. 29 of 1910 ; Extract from the Consolidated Text of the year 1910, E.B. VII., p. 327, No. 14).

1. The first of the two amending Acts (dated 13th December, 1909 ; Title E.B. VII., p. 324, No. 4), contains two principal modifications. The Government, and also Parliament, when promulgating the Act, acted in the belief that the Federal Legislature was entitled, by virtue of §51, No. 20, of the Constitution, to regulate not only the business of companies and persons in so far as commercial intercourse between the States was concerned (which right was not disputed by anybody), but also the internal conduct of business in the separate States. The High Court was not of the same opinion. The two Sections of the original Act in question (§§5 and 8) were consequently declared *ultra vires*, in the case of Huddart, Parker & Co. v. Moorehead, by the High Court. Consequently, these two sections are repealed in the amending Act.

The second modification consists in the fact that the granting or promising of any rebate, refund, discount, concession, or reward (rebate system) in return for certain considerations tending to boycott competitors or to monopolise certain trades, is made directly subject to penalties (£500). The new Section is worded as follows :—

7A. (1) Any person who, in relation to trade or commerce with other countries or among the States, either as principal or agent, in respect of dealings in any goods or services, gives, offers, or promises to any other person any rebate, refund, discount, concession, or reward, for the reason, or upon the condition express or implied, that the latter person—

(a) deals, or has dealt, or will deal, or intends to deal, exclusively with any person, either in relation to any particular goods or services or generally ; or

(b) deals, or has dealt, or will deal, or intends to deal, exclusively with members of a commercial trust, either in relation to any particular goods or services or generally ; or

(c) does not deal, or has not dealt, or will not deal, or does not intend to deal, with certain persons, either in relation to any particular goods or services or generally ; or

(d) is or becomes a member of a commercial trust—  
is guilty of an offence.

Penalty : Five hundred pounds.

The new provision involves a simplification of the legal procedure. Up to the present the efficacy of an action depended on a series of proofs, which were in some respects very difficult to furnish (as, for instance, whether there existed a contract, whether there existed an intention to restrain or destroy an Australian industry, whether the competition had assumed an unfair character, whether the destroyed or injured industry was advantageous to the Australian Commonwealth). These defects are removed by the new Section. Finally, a penalty of £500 is threatened against any person refusing to sell goods or to render services to another person on the ground that the latter deals with a certain person or with persons outside a certain trust, or does not belong to a certain trust.

2. In the second Amending Act (dated 25th November, 1910, Title E.B. VII., p. 327, No. 13), an attempt is made to make §4 of the original Act more effective. This Section was worded originally as follows :—

Any person who, either as principal or as agent, makes or enters into any contract, or is, or continues to be a member of or engages in any combination, in relation to trade or commerce with other countries or among the States—

(a) with intent to restrain trade or commerce to the detriment of the public ; or

(b) with intent to destroy or injure by means of unfair competition any Australian industry the preservation of which is advantageous to the Commonwealth, having due regard to the interests of producers, workers, and consumers—

is guilty of an offence.

Penalty : Five hundred pounds.

These requirements proved impracticable. It was not possible to prove the "intention" of restraint of trade or commerce, nor to show, especially during the first stage of development of a trust, that the restraint had been "to the detriment of the public." In the amending Act these requirements are accordingly struck out. By way of precaution it is, however, provided that in the case of a prosecution for actual or intended restraint of trade or commerce, the defendant may justify himself by proving that his action did not cause detriment to the public, and that the effected or intended restraint of trade or commerce was not unreasonable ; this, however, applies only to those economic combinations which do not merit the designation of a commercial trust.

The Industries Preservation Acts are closely connected with the Bounties Acts, according to which the Government grants bounties for the production of certain articles of consumption, but may reduce or withdraw them, if the manufacture of the articles in question is not effected by white workers (Sugar Bounty Act, 1907), or is not carried on under fair and reasonable conditions (The Bounties Act, 1907). Of such Bounties Acts, the following must also be mentioned :—

(1) The Act to amend the Sugar Bounty Act of 1905, dated 25th October, 1910 (Extract E.B. VII., p. 324, No. 9). The Sugar Bounties Act of 1905 provided that the payment of bounties should cease at the end of 1912, and should be reduced by one-third or two-thirds respectively in the years 1910 and 1911. This prospect disturbed the Queensland Sugar cultivation. The Government was also afraid that by the abandonment of the bounty system, the coloured population of about 10,000 which still existed in Queensland, might be again driven to take up sugar cultivation, and that

thereby the policy of a "White Australia" which had been consistently followed during the last few years, would be thwarted.

The number of sugar-cane planters in Queensland employing white labour was 1,521 (60.9 per cent.) in 1902, and the number of those employing coloured labour (mostly Kanakas), 975 (39.1 per cent.); the corresponding figures for New South Wales were as follows:—1,005 (89.7 per cent.) and 115 (10.3 per cent.); in 1904 the figures were: In Queensland, 2,429 (71 per cent.), as against 993 (29 per cent.); in New South Wales, 1,304 (85.5 per cent.), as against 222 (14.5 per cent.); in the year 1910 the proportion was as follows:—In Queensland, 4,630 (93.5 per cent.), as against 322 (6.5 per cent.); in New South Wales, 1,078 (93 per cent.), as against 80 (7 per cent.). The sugar production by white labour rose during the years 1902-1910 from 12,254 to 170,684 tons, while the production by coloured labour during the same period fell from 65,581 to 15,492 tons. (Senator Pearce, of Western Australia, Minister of National Defence, in the Senate on the 13th October, 1910, Parliamentary Debates, p. 4496.) The Government therefore proposed to Parliament to continue the full payment of bounties for an indefinite period. At the same time, an amendment of the provisions for the protection of labour in the 1905 Act was proposed. By that Act it was provided, as already mentioned above, that the Minister could withdraw the bounty either wholly or partially from a grower if the wages paid by him remained below the standard wages customary in the district. As a rule, no such local standard wage existed, and the Minister himself was compelled to draw up a wages scale (for instance, in 1907: Adults, 22s. 6d. to 25s.; boys, 10s. to 15s.; young workers between the ages of 16 and 18, 15s. to £1; and old, sick and infirm workers, 15s. to £1—in all cases with food supplied). In order to obtain better and more reliable data for forming an opinion of the wages condition, the Government accordingly proposed to insert a provision identical with the provision for the protection of labour in the Iron Bounty Act of the 14th December, 1908 (Extract E.B. V., p. 251), according to which a withdrawal or reduction of the bounty might take place if the Minister should find that the rates of wages, or any of them, were below the standard rates prescribed by any Commonwealth or State industrial authority (*i.e.* a wages board), or were below the standard rates applicable to similar work in the locality, or declared to be fair and reasonable by the President of the Commonwealth Court of Conciliation and Arbitration, a Judge of the Supreme Court of a State, or a State Industrial Authority.

(2) Act to provide for the payment of bounties on the manufacture of kerosene and paraffin-wax from Australian shale, dated 17th November, 1910 (Extract E.B. VII., p. 325, No. 11); this Act contains the same provisions for the protection of labour as the Sugar Bounty Amending Act.

**AUSTRIA-HUNGARY.** *Austria.* According to the Acts of 29th April, 1873 (R.G.Bl. No. 68) and 26th May, 1888 (R.G.Bl. No. 71), and also the Act of 21st April, 1882 (R.G.Bl. No. 123), a certain part of wages and payments for services was exempt from seizure. Since those Acts were passed, the most essential necessities of life have risen so much in price that the amount in question no longer corresponded to the minimum necessary for existence which it was intended to protect by exemption from seizure. An Act dated 17th May, 1912, (Text E.B. VII., p. 351), consequently raises the exempted portion of wages and payments for services in the case of public officials to 2,000 kr., and in particular, from 700 to 1,200 kr., in the case of judicial officers, in enforcing a claim for reimbursement by the State in "syndicate" cases\* and in the case

\**i.e.* Claims in respect of wrongful actions by judicial officers; these may be made against the State, which may in its turn, claim reimbursement.

of private employees from 1,000 to 1,200 kr. In execution of the Act, which came into force on 1st August, 1912, the Ministry of Justice issued on 31st May, 1912 (*Verordnungsblatt des Justizministeriums*, No. 29), a Decree containing a tabular summary of the rules applying in future to the seizure of wages (see *Soziale Rundschau* 1912, I., 236, and II., 194).

**FRANCE.** In a Circular dated 18th June, 1910 (Title E.B. VII., p. 363, No. 5), the Minister of Labour answers the question within what term workmen ought to be paid the wages earned by them, to the effect that, in accordance with §2 of the Act of 7th December, 1909 (Text E.B. V., p. 104, No. 17), respecting the payment of wages of workmen and employees, payment should be made as soon as possible after the day on which the wage falls due.

A Decree dated 27th June, 1910 (Title E.B. VII., p. 363, No. 8), declares that the Act of 13th July, 1907 (Text E.B. II., p. 382, No. 11), relating to the free wages of married women, shall apply to Algeria.

A Circular of the Minister of Labour dated 10th September, 1910 (Title E.B. VII., p. 365, No. 13), explains the provisions of the Act of 25th March 1910 (Text E.B. V., p. 377, No. 8), relating to truck shops.

**GREAT BRITAIN & IRELAND.** §116 of the Factory and Workshop Act of 1901 provides that the occupiers of textile factories shall publish particulars of the rates for piece-work in order that the piece-workers may be able to calculate the amount of the wages due to them (Particulars Clause), and gives the Secretary of State for the Home Department power to extend these provisions, with any modifications which may seem good to him, to non-textile factories and workshops of all kinds. The Home Secretary made use of this power on 25th October, 1911, for the manufacture of household linen, curtains and furniture hangings, and lace (Text E.B. VII., p. 308); on 25th December, 1911, for the making of files (Text E.B. VII., p. 316); on 23rd December, 1911, for the manufacture of toy balloons, pouches, and footballs from india rubber (Text E.B. VII., p. 318), and for laundries (Text E.B. VII., p. 319).

The *Coal Mines (Minimum Wage) Act* of the 29th March, 1912 (Text E.B. VII., p. 109). According to the 15th Abstract of Labour Statistics of the United Kingdom (Board of Trade, Cd. 6228, London 1912, p. 296), more than one million workers were employed in the British coal mining industry, in the year 1911, as follows:—

Northumberland	..	..	..	..	..	58,295
Durham	..	..	..	..	..	158,445
Cumberland	..	..	..	..	..	10,578
Yorkshire	..	..	..	..	..	157,308
Lancashire and Cheshire	..	..	..	..	..	103,986
Derbyshire	..	..	..	..	..	57,785
Notts and Leicestershire	..	..	..	..	..	49,660
Staffordshire	..	..	..	..	..	56,560
Salop, Worcestershire, and Warwickshire	..	..	..	..	..	22,896
Gloucestershire and Somersetshire	..	..	..	..	..	15,274
North Wales	..	..	..	..	..	15,424
South Wales and Monmouth	..	..	..	..	..	220,887
West of Scotland	..	..	..	..	..	85,129
The Lothians	..	..	..	..	..	24,156
Fife	..	..	..	..	..	27,395
Ireland	..	..	..	..	..	790
<b>TOTAL</b>	..	..	..	..	..	<b>1,067,213</b>



The mineowners, as well as the workers, are organised in strong unions ; the former belong to the Mining Association of Great Britain, with 26 local Associations ; of the latter approximately, 710,000 are organised, 597,000 of whom belong to the Miners' Federation of Great Britain, 79,000 to the Scottish Federation, and 124,000 to the Durham Federation. Wage conditions had hitherto been regulated by way of agreements between the employers' and workers' committees. The Durham Joint Committee was the first of its kind, and was established in the year 1872. During the following years the system of Conciliation Boards extended all over Great Britain. Such Conciliation Boards were formed in Durham and the so-called Federated Districts (Lancashire, Cheshire, Yorkshire, Derbyshire, Nottinghamshire, Leicestershire, Shropshire, part of Staffordshire, Warwickshire and North Wales), in 1894 ; in Cumberland and the Forest of Dean in 1895. In 1899 the Conciliation Board of Durham and Northumberland was reorganised, and a Board was founded for South Staffordshire and East Worcestershire ; there followed, in the year 1900, the Conciliation Board for Scotland ; in 1901, the Radstock Board ; in 1903, similar institutions were formed in South Wales and Monmouthshire. The activity of the 19 existing private Conciliation Boards extends over more than 800,000 workers. During the years 1900-1909, 4,682 cases were submitted to the Boards for examination ; in 51 cases strikes occurred.

The regulation of wages was hitherto effected on the following principles. In all the districts, with the exception of Durham and Northumberland, there existed a so-called general minimum wage, which consisted of a fixed standard wage corresponding generally with the average wages of the years 1879 or 1888, and an additional percentage, varying with rises and falls in the price of coal, which generally was fixed every few months by the Conciliation Boards. This general minimum wage was, however, unfavourably influenced by several circumstances. The miners engaged on day wages (in repairs to the tram-roads, building up, etc.) found themselves exposed to shortening of the working hours ; the hewers working on contract also suffered under the fluctuating number of working days during the week (during the spring and summer of 1911, for instance, only short time, two days and sometimes even only one day per week, was worked in the coal mines of Lancashire, Staffordshire, Cannock Chase, Derbyshire and Yorkshire), and were subject to further loss in consequence of breakdowns in the works. Work in abnormal places, however, as regards which the onus of proof was often shifted on to the workers, was chiefly responsible for the reduced earnings. The representative of the miners of Lancashire, Mr. Stephen Walsh, M.P., estimated the total number of miners who throughout the year earned more than 30s. per week as being only 130,000.\*

It was thus the object of the workers to transform the general minimum wage into a personal minimum wage, if necessary, by a fight.

According to the rules of the Miners' Federation of Great Britain, every branch of the Federation which has a dispute with an employers' branch, by reason of a reduction in wages, may call out the other branches for a general

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\* According to the 15th Abstract of the Labour Statistics of the United Kingdom (Board of Trade, Cd. 6228), London, 1912, p. 71, the wage earnings of workers in the coal industry have fallen nearly continuously since 1900 (= 100), specially since the crisis of 1908, and reached in 1911 the figure of 88.83. Simultaneously with this, the level of retail prices rose from 100 to 109.3 (*ib.* p. 152). The output of coal rose from 225 to 264 million tons (p. 26).

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strike, if the Executive of the whole Federation agrees that such a measure should be adopted. As early as 1909 there were threats of a strike (during the conflicts in South Wales and in Scotland). The case repeated itself in 1910 in South Wales ; owing to the conciliatory intervention of the Board of Trade, an agreement was entered into which was to be valid up to the 31st March, 1915. At the end of 1911, however, the workers came forward with new demands. At the Southport Conference of the 5th-7th October, 1911, the demand for a minimum wage was first formulated, and §21 of the Rules of the Miners' Federation was, moreover, altered to the effect that a general strike could be undertaken not only for purposes of defence but also for purposes of attack. During the negotiations which followed, the mine-owners of Scotland, Durham, Northumberland, and South Wales, in particular, were absolutely opposed to any compromise ; the latter saw in the new demands a violation of the agreement recently concluded. In other districts, the workers were met to a greater or smaller extent ; thus in Nottinghamshire, for instance, the question of abnormal places was regulated, and in Warwickshire the hewers were granted a personal minimum wage of 7s. At a special conference in London on the 20th and 21st December, the workers decided on taking a ballot of members concerning the strike, the result of which was made known at the National Conference in Birmingham on 18th January, 1912 ; 445,801 votes were for a general strike, and 115,721 against.

On 2nd February, 1912, the Miners' Federation decided to present their claims to the owners. They demanded a minimum wage per shift for every hewer as follows :—

Yorkshire	..	..	..	..	7s. 6d.
Lancashire	..	..	..	..	7s.
Midlands	..	..	..	..	6s. to 7s.
Derbyshire	..	..	..	..	7s. 1½d. to 7s. 6d.
Nottinghamshire	..	..	..	..	7s. 6d.
North Wales	..	..	..	..	6s.
Leicestershire	..	..	..	..	7s. 2d.
Somerset and Bristol	..	..	..	..	4s. 11d.
Cumberland	..	..	..	..	6s. 6d.
Scotland	..	..	..	..	6s.
South Wales	..	..	..	..	7s. 1½d. to 7s. 6d.
Northumberland	..	..	..	..	6s. to 7s. 2d.
Durham	..	..	..	..	6s. 1½d.
Forest of Dean	..	..	..	..	5s. 10d.
Cleveland	..	..	..	..	5s. 10d.

In Somersetshire, the Forest of Dean, and in Bristol, a minimum of 5s. per day for all underground workers, and for young workers a minimum wage of 2s. per day, was demanded, in addition.

The negotiations between the representatives of the employers and workers of England proper (the mine-owners of South Wales shortly refused to take any further part in the negotiations), left two important points of dispute unsettled : (1) The mine-owners were prepared to grant a minimum wage for work in abnormal places, and were also disposed to grant a daily rate of wages of 7s. 1½d. in normal places, under the condition that, if the daily output was below the normal, a deduction of 1s. per day should be made. The workers declared themselves agreed with this principle, but demanded a daily wage of 7s. 6d., with a deduction of only 6d. ; (2) The employers demanded a period of

trial of two years for the new system, during which no new claims for wages should be brought forward ; this condition was flatly refused by the workers.

On 20th February, the Prime Minister, Mr. Asquith, invited the representatives of the parties to the dispute to a conference on 22nd February, but neither this nor any further attempts at conciliation led to any result, and on 26th February the workers of the Alfreton and Shirland Pits of the Blackwell Colliery Company in Derbyshire went on strike, against the wish of their leaders, who desired to keep the workers from striking until 1st March, which was the date fixed for the general strike. The negotiations of the Government with the representatives of the parties continued on 27th and 28th February, but no joint conference between the mine-owners and the workers was held. On the evening of 28th February, the Government made the following proposal for a settlement :—

1. His Majesty's Government are satisfied, after careful consideration, that there are cases in which underground employees cannot earn a reasonable minimum wage, from causes over which they have no control.
2. They are further satisfied that the power to earn such a wage should be secured by arrangements suitable to the special circumstances of each district. Adequate safeguards to be provided to protect the employers against abuse.
3. His Majesty's Government are prepared to confer with the parties as to the best method of giving practical effect to these conclusions, by means of district conferences between the parties, a representative appointed by the Government being present.
4. In the event of any of the conferences failing to arrive at a complete settlement within a reasonable time, the representatives appointed by His Majesty's Government to decide jointly any outstanding points for the purpose of giving effect in that district to the above principles.

The proposals of the Government were accepted by approximately 60 per cent. of the mine-owners ; on the other hand, the owners of Scotland and South Wales rejected them. The miners also did not agree to the Government proposal. The Government continued their negotiations with the contending parties (see statements of the Prime Minister in the House of Commons on 1st and 4th March, 1912 ; Parliamentary Debates, 1912, House of Commons, Vol. 34, Col. 1767, and Vol. 35, Col. 38).

During the negotiations, the miners' strike had been spreading more and more ; on 2nd March the number of the strikers was already estimated at more than 1,000,000, and the first economic consequences of the strike were felt—namely, the closing of works, especially iron and steel works, potteries, brick-works and glass factories, the dismissal of workers, increase of the price of coal and bread, reduction of railway traffic, etc.

On 8th March the Government went a step further and addressed the following invitation to the parties :—

" His Majesty's Government consider that the proposals which they have already placed before the representatives of both parties offer the fairest means of arriving at a satisfactory settlement of the dispute. In view, however, of the difficulty of making any progress towards a settlement without mutual discussion His Majesty's Government invite both parties to meet them jointly in conference, without prejudice, with a view to the free discussion of the whole situation."

The mutual discussion took place from 12th to 15th March, but had no definite result since, on the one hand, the workers would not give way on their wages schedule, while, on the other hand, the Scotch and South Wales coal-owners maintained their attitude of hostility to the principle of a minimum wage. On 15th March, the Government brought the conference to an end, and, in communicating this result, published an announcement which the Prime Minister had already made to the contending parties with respect to

further steps contemplated by the Government—namely, the introduction of a Minimum Wage Bill. The statement read as follows :—

“ The Prime Minister then stated that the Government would ask from Parliament a legislative declaration that a reasonable minimum wage, accompanied by adequate safeguards for the protection of the employer, should be a statutory term of the contract of employment of people who are engaged underground in coal-mining.

As regards the important question of how such a minimum was to be ascertained for any particular area, the Prime Minister, without pledging the Government to any precise form of machinery, indicated that the district minima should be locally fixed by a joint board in each district, consisting of representatives of employers and employed with a neutral and independent Chairman, who might be selected by the parties themselves, or, if necessary, by the Government. Such a body would, in the opinion of the Government, afford what they have always regarded as all important—a means of securing finality. The proposals of the Government would include provisions to secure promptitude in point of time in the presentation of the cases of the parties and in the adjudication thereon.

After hearing the Prime Minister's statement, both parties put forward certain suggestions regarding the details of the proposed measure, to which the representatives of the Government undertook to give consideration.”

Notwithstanding the announcement of the Prime Minister, the tension was not released. In the preparation of the Bill, the representatives of both parties were consulted. On 19th March, 1912, Mr. Asquith brought in his Bill, and justified it in an exhaustive speech (Parliamentary Debates, Vol. 35, Col. 1729).

The Prime Minister said that in the first place it was only a temporary measure, to continue in force for three years. Every employer was to pay the minimum rate settled under the Act, to workmen working underground in coal mines. Any contract to the contrary would be void. The workman would have a right to recover by civil proceedings from the owner wages not less than that of the minimum wage. The minimum wage would have to be paid retrospectively from the date after the passing of the Act when the individual miner resumed work. Exceptions would be provided for the aged and infirm. The Bill further provided for regulations for securing regularity and efficiency of work. Non-compliance of the workman with the regulations would deprive him of the right to the minimum wage. The rate of the minimum wage and the rules for securing efficiency and regularity of work would be settled by Joint District Boards. These Joint Boards would be the existing Boards of Conciliation, or such other Boards as might be constituted and considered by the Board of Trade fairly and adequately to represent the employers and workmen in the various districts. Each Board would have an independent chairman, with a casting vote, who would be appointed by agreement between the two sides of the Board, or, in default of agreement, by the Board of Trade. The Joint Board of any district would have power to divide their districts, or to combine certain districts. Finally, the Prime Minister pointed out that there would be no compulsion and no penalty either on the one side or the other, but that it was hoped that the Act would be effective, as both parties would have to reckon with the State.

The Leader of the Opposition, Mr. Bonar Law, did not oppose the Bill unconditionally, but emphasised the difficulty of legislative action and disclaimed all responsibility. The spokesman of the Labour Party, Mr. Ramsay MacDonald, declared himself in favour of the Bill with certain reservations ; he desired to have further indications respecting the minimum wages in pounds, shillings, and pence, and announced that he would put forward amendments, but promised the effective co-operation of his party.

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After a four hours' debate on the following day, the Bill passed its first reading (Parliamentary Debates, H.C., Vol. 36, Col. 1787). Now, however, the difficulties increased. The committee of the coal-owners expressed its dissatisfaction that the drawing up of safeguards had been left to the district boards instead of being fixed in the Act itself, and they formulated about 50 amendments, the most important of which were as follows: Removing the retrospective effect of the minimum wage rates; right of the employer to deduct the difference, if it is proved that the worker has earned less than the minimum wage; when fixing the minimum wages, contracts based on the existing rates of wages to be taken into account; full power of arbitration for the President of the District Board. The Miners' Federation unanimously decided to press for the insertion in the Act of the 5s. and 2s. minimum wage for day workers, and (with a small majority) on their schedule of minimum rates for hewers, whereupon the Labour Party declared itself in favour of the second reading of the Bill, and of bringing forward amendments on the lines proposed by the miners.

On 21st March, 1912 (Parliamentary Debates, H.C., Vol. 35, Col. 2069), Mr. Balfour (Unionist), moved that the second reading be postponed for six months—that is to say, to reject the Bill—on the ground that it created a dangerous precedent and sanctioned the breaking of agreements. His motion was rejected by 348 votes (Liberals, Labour Party, and Irish), against 225 votes (Unionists, with few exceptions), and the Bill was read a second time.

In the discussion in Committee on the following day most of the amendments were moved by the mine-owners; the Government also refused to accept the amendments of the Labour Party, which were supported by several Liberals (Mr. King's amendment to insert "the 5s. and 2s. clause"; proposal to remove the power of the District Boards to sub-divide the districts). Upon the motion of the President of the Board of Trade, Mr. Sydney Buxton, a provision was inserted according to which higher rates of wages already in force should not be affected by the Minimum Wage Act. In the discussion of the "5s. and 2s. clause," Mr. Ramsay MacDonald had stated that, if this amendment was accepted, the workers would even be prepared to drop the hewers' schedule, and Sir Edward Grey accordingly raised the question whether the two parties might not come to an agreement with each other concerning the "5s. and 2s. principle." The House then decided to wait for the result of further negotiations between the mine-owners and the miners respecting "the 5s. and 2s. clause."

In the meantime the price of coal continued to increase (from 40s. to 45s. for best quality, and by 4s. for the other qualities); simultaneously, however (on 25th March), secessions from the strike commenced; in Lancashire 1,000 workers resumed work, and the coal mines of Chirk in North Wales were re-opened.

On 25th March, the negotiations of the Government with the parties recommenced, but without any actual joint conference between the representatives of the parties to the dispute. On 26th March (Parliamentary Debates, H.C., Vol. 36, Col. 224), the Prime Minister was compelled to inform the House of the *failure* of the negotiations; but declared, at the same time, that the Government insisted on its decision not to insert any figures in the Bill; it would be much better, he maintained, if the wages were fixed in every

district, even if the "5s. and 2s." was no unreasonable claim. The Government therefore earnestly recommended the acceptance of the Bill, as the well-meant and impartial efforts at mediation which it had hitherto made, had been entirely unsuccessful.

When discussing the Bill in its modified form on report, the miners' representative, Mr. Brace, again brought forward the 5s. and 2s. amendment; his amendment was defeated by 326 votes to 83, which included about 50 Liberals. On 27th March, the Bill passed its third reading by 213 votes to 38 (Parliamentary Debates, H.C., Vol. 36, Col. 410); the Unionists voted for the Bill and the Labour Party against it. The House of Lords passed the Act on 28th March (Parliamentary Debates, H.L., Vol. II., Cols. 650 and 729) without a division, although not without opposition. On 29th March, 1912, the Royal Assent was given (*cf.* Text of the Act, E.B. VII., p. 109).

Immediately after the passing of the Act, the Miners' Federation arranged for a general ballot on the resumption of work, when 201,013 votes were for and 244,011 were against—that is to say, a majority of 42,998 against resumption. The executive of the Miners' Federation declared that, in their opinion, a two-thirds majority was necessary for the continuation of a national strike just as it was for the declaration of such a strike, and they called upon the workers to resume work. This resolution, passed with a small majority, was afterwards confirmed on 6th April, 1912, by the National Conference by 445,000 votes to 125,000. By 15th April work was resumed in all districts.

The District Boards have carried out the functions with which they were entrusted by the Act in the following manner:—

(1) The rules fix the minimum wage free of deductions, the only exceptions being that the cost of the explosives may be deducted in Lancashire and Yorkshire, and in Cumberland 1d. a day may be deducted for lamp and gear.

(2) Most of the rules exclude certain classes of workers from the effect of the minimum wage. Here also they are not uniform. Thus, for instance, firemen and shot lighters are excluded in some districts, and in others, horse-keepers and examiners. On the other hand, in Scotland and Cumberland only the "overmen" are excluded, while firemen and shot-firers are expressly declared to be entitled to the minimum wage.

(3) The grounds for forfeiting the minimum wage are the following:

(a) Old age or infirmity.

According to the regulations for North Wales, the limit at which old age begins is 60 years; in South Wales and Monmouth, 63 years; in Derbyshire, South Derbyshire, Nottinghamshire, and Scotland, 65 years; Cleveland and Northumberland distinguish between contract workers who are considered old at 57 and datallers who are considered old at 63. South and West Yorkshire leave it to a sub-committee to decide whether workers from their 60th year are capable of assuring a proper day's output.

(b) Insufficient output.

This is checked by the district regulations fixing the period within which the worker must have reached the minimum output which entitles him to the payment of the minimum wage. His total earnings for this period are divided by the number of shifts worked; in South Staffordshire this period is five weeks, on the expiration of which the employers may choose between dismissal or payment of the price list

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rates ; in Bristol, a fortnight's work is decisive ; in North Wales, the lesser output must be ascertained within a period of three months.

Work in abnormal places is excepted from this rule as to deficiency in output. Such places must be notified immediately on leaving work. The district regulations of South Derbyshire declare an abnormal place to be where any difficulty arises, such as bunkers, faults, bad roof, falls, water, etc., or where difficulties arise from the default of the management, rendering it impossible for the workman to earn a day's wage, unless caused by his own negligence.

(c) According to certain district regulations, the number of shifts missed must not exceed a certain number if the right to the minimum wage is not to be forfeited. In most of the regulations the men are required to attend 80 per cent. of the possible shifts, and in North and South Wales five-sixths of such shifts must be worked each week. In Somersetshire and Leicestershire wages are forfeited if only one shift is missed, unless the failure to appear is caused by illness.

(d) Breakdowns of which the workman is duly informed entail deductions from the minimum wage. The district regulations of Lancashire and Cheshire define as emergencies, *inter alia* :—

a. Any circumstance, accident, or breakdown preventing the further output of fuel ;

b. Shortness of wagons on the surface.

c. Stoppage of work by strike, or absence of men or boys engaged at the colliery.

(e) If the worker asserts that difficulties in working were caused through the default of the management, he must have a complaint recorded when leaving his work, in the presence of a representative of the workers and of the mine-owner.

(f) Beginners are only entitled to the minimum wage after a definite period. In Cleveland, Northumberland, and North Wales this period is three months for absolute beginners, and one month for persons who were not engaged at the face immediately before entering upon their occupation but who had previously been so employed.

(g) Some of the regulations also contain disciplinary clauses. In Warwickshire, the minimum wage is forfeited, for instance, if the worker habitually comes late to the pit, if he neglects to reach his working place after descending the mine within a reasonable time, if he exceeds the time allowed for meals, if he leaves his working place sooner than necessary in order to ensure his arrival at the shaft in time for ascending within the legal limit, if he refuses to work in accordance with the reasonable instructions of the proper official, if he infringes the colliery rules, or if he is guilty of any wilful act or default.

(4) All disputes respecting the amount or forfeiture of, or the right to, the minimum wage are to be settled in the first instance between the worker concerned and the competent mine officials. In Derbyshire, South Derbyshire, Warwickshire, Nottinghamshire, South Staffordshire, South Wales, and Monmouthshire the matter is referred next to the management of the mine and the workmen or the Agent of the Miners' Association. In the other districts the second instance is formed by a local committee of two or three representatives each of the workers and employers. The delegates of the local lodge of the trade union represent the workmen or, if the workers are not organised, the representatives are appointed

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*ad hoc*. A joint committee acts as third instance in some cases ; if this committee is not able to come to any decision, the casting vote of an independent umpire or chairman is final. The Leicestershire regulations expressly provide that the secretaries of the employers' and workmen's organisations shall serve on the joint committee.\*

The following table shows the awards of the District Boards with respect to the main question, viz., the minimum wages for piece-workers and datallers.

	Demanded by Schedule of the 2nd February, 1912.		Granted.	
	Piece Workers.	Datallers	Piece Workers.	Datallers.
South Wales .. .. .	7s. 1½d.-7s. 6d.	5s.	6s. 11d.	4s. 9½d.
Northumberland .. ..	6s.-7s. 2d.	5s.	5s. 6d.	4s. 9½d.
Durham .. .. .	6s. 1½d.	5s.	5s. 6d.	4s. 9d.
Cumberland .. .. .	6s. 6d.	5s.	6s.	2s.
Lancashire and Cheshire ..	7s.	5s.	6s. 6d.	5s.
Cleveland .. .. .	5s. 10d.	5s.	5s. 4d.	4s. 3d.
North Stafford .. .. .	6s.-7s.	5s.	6s.	5s.
South Derbyshire .. ..	6s. 6d.	5s.	6s.	4s. 6d.
Leicestershire .. .. .	7s. 2d.	5s.	6s. 2d.	4s. 10d.
Forest of Dean .. .. .	5s. 10d.	—	5s. 2½d.	—
West Yorkshire .. .. .	7s. 6d.	5s.	5s. 9d.-6s. 9d.	2s. 6d.-5s.
South Yorkshire .. .. .	7s. 6d.	5s.	5s. 9d.-6s. 9d.	2s. 6d.-5s.
Cannock Chase .. .. .	6s.-7s.	5s.	6s. 3d.-6s. 6d.	4s. 9d.-5s. 4d.
South Staffordshire .. ..	6s.-7s.	5s.	5s.-6s. 6d.	4s.-5s.
Warwickshire .. .. .	6s.-7s.	5s.	5s. 4d.-7s.	4s. 5d.
Shropshire .. .. .	6s.-7s.	5s.	5s. 6d.-6s.	4s. 6d.-4s. 9d.
Derbyshire .. .. .	6s. 1½d.-7s. 6d.	5s.	6s.-7s.	4s. 9d.-6s. 2d.
Nottinghamshire .. .. .	7s. 6d.	5s.	5s. 6d.-7s.	5s.-6s. 6d.
North Wales .. .. .	6s.	5s.	6s.	4s. 10d.-6s.
Somerset .. .. .	4s. 11d.	—	3s. 3d. <i>plus</i> <i>add. percentage</i>	2s. 8d. <i>plus</i> <i>add. percentage</i>
Bristol .. .. .	4s. 11d.	—	3s. 4d.	2s. 8d.
Scotland .. .. .	6s.	5s.	5s. 6d.-5s. 10d.	4s. 9d.

**GREECE.** The dissatisfaction of the workers with the prevailing abuses in respect of the payment of wages and with the continual increase in cost of living, found expression in the first decade of the twentieth century, not only in a series of petitions from the working classes, but also in occasional trade disputes (*e.g.* the strike of engineers and dock labourers in the Piræus in 1909). In order to combat these abuses, the Member of Parliament, Sp. I. Theodoropulos, belonging to the group of "Friends of the Workers," introduced on 20th June /3rd July, 1911, a Bill respecting the payment of daily wages of workers and procedure for making claims for wages. The introducer of the Bill pointed out that persons employed in industrial establishments, mines, and quarries, were exposed in various respects to exploitation so long as the payment of wages was made, in some cases, in goods instead of cash, and was sometimes effected in public-houses and other shops, where the workers were induced by skilful exploiters to accept goods, and especially alcoholic drinks, on credit. On the other hand, impecunious workers wishing to make claims for wages were excluded from taking proceedings in the district court, on account of the cost. Consequently, the Bill contemplated stricter regulation of the payment of wages and important simplifications in court procedure.

\* The text of these Regulations is published in "The Board of Trade Labour Gazette," Vol. XX., Nos. 4-8 (April-August, 1912).



The Commission appointed to consider the Bill divided it into two parts, one of which regulated the payment of wages; the other part, regulating procedure, was taken out, and introduced on 24th November/7th December, 1911, by the Government as a separate Bill (first discussion by clauses on 11th/24th December, 1911). The original Bill provided, in §2, that wages must be paid at intervals of not more than 14 days; the Commission (report of 14th/27th December, 1911, presented by I. Manos) added the requirement that, in undertakings with more than 200 workers, the payment of wages should be regulated by order, after consultation with the Superior Labour Council. The Chamber (second discussion by clauses on 20th December, 1911/2nd January, 1912; general debate on 21st December, 1911/3rd January, 1912) approved the Bill in general in the form adopted by the Commission, but rejected §4 of the Commission's draft, which would have introduced legal terms of notice of one week in the case of day labourers and of one month in the case of other employees (an institution which is foreign to Roman law).

The Act No. 4030, dated 24th January/6th February, 1912 (Text E.B. VII., p. 290, No. 8), concerning the payment of wages to workers and the wages of servants and employees, provides that wages shall, on principle, be paid on the employer's premises in legal currency every week on Saturday, or from two to three times a month according to local custom, but not after the time when the daily work is concluded; in undertakings with more than 200 workers the manner of paying wages may be regulated by order. Deductions from wages are allowed—(1) for advances of wages; (2) for fines, provided that regulations on the matter are affixed in the establishment, that the fines do not exceed one-fourth of the worker's daily wages, and that the amount of the fines is paid into a common workmen's fund; (3) for members' contributions to provident, pension or insurance funds; (4) for contributions to workmen's co-operative societies, etc., if the workman agrees; (5) for making good any damage which may have been caused by the workman to tools or raw materials belonging to the employer; (6) for rent, if the worker is the tenant of the employer. If wages are more than three months in arrears, 5 per cent. interest must be paid on them.

The Sections separated from the original Bill and introduced by the Government on 24th November/7th December, 1911, as a special Bill relating to procedure in disputes respecting wages, were referred to a Commission, which reported on 5th/18th December, 1911. The first and second discussions by clauses took place on 7th/20th December and 12th/25th December respectively, and the general debate on 13th/26th December. The Bill became law on the 31st December, 1911/13th January, 1912 (Title E.B. VII., p. 283, No. 5) under the title "Act No. 3974 concerning decisions on disputes arising between workers and employers with respect to the payment of earnings and wages." Whereas, formerly, in order to make good a claim for wages, the worker needed a lawyer, and had to pay stamp duties and court fees and to sacrifice many days' wages before justice was done him—the result being that his expenses in claiming wages of from 20–30 dr. often amounted to from 40–50 dr.—the new Act enables the worker to recover his wages by a shorter and summary procedure before the Justice of the Peace. In future, it will not be compulsory to be represented by a lawyer if the claim does not exceed 100 dr.; in addition, under the new procedure, the greater part of the stamp duties is dispensed with (maximum fee, 10 dr.) The cost of drawing up the judgment is fixed at from 1–5 dr. The whole procedure is to be expedited as much as possible, and the judgment must be given at latest within 10 days of the proceedings. A

further facility is given to the worker by allowing him to give to a relation or friend, not in work, a written authority to represent him before the Justice of the Peace, so as to avoid losing any wages himself. The Act came into force on 4th-17th January, 1912.

**QUEENSLAND.** While some of the Australian Colonies—as, for instance, Victoria and South Australia—incorporated in their factory and shop legislation provisions respecting Wages Boards, and alterations of these provisions are contained in the Factories and Shops Amending Acts of Victoria and South Australia (*cf.* pp. XVIII., XXII., XXVII.), Queensland has special Wages Boards Legislation in the Act of 15th April, 1908 (Text E.B. III., p. 168). By an amending Act of the 9th January, 1912 (Text E.B. VII., p. 119), a number of formal and material alterations are made in this Act, the most essential of which are the following :—In the Section on “Definitions” (§2 of the amending Act), the definition of “Apprentice” is made clearer, and it is accordingly made possible to delete §23 of the original Act ; the definition of the term “Clothing or wearing apparel” is extended, and definitions of “Employer” and “Employee” are inserted (managers are to be considered as employers) ; moreover, the definition of “Furniture” is extended, and the term “Improver” is defined in a somewhat different manner. Finally, a new definition is set up, namely, that of “Young Worker,” meaning a person under 21 years of age who is not an apprentice or an improver and receives lower wages than those fixed by a Special Board for persons other than apprentices, improvers or young workers. §3 of the amending Act, empowers the Government to increase the number of members of a Special Board to 12, while safeguarding equal representation, and to reduce the same to 4. In accordance with §7 of the original Act, the Special Board for men’s and boys’ clothing consisted of three employers representing the ready-made clothing trade and two representing the bespoke tailoring trade, and of five workers taken without distinction from the two branches of trade ; by §6 of the amending Act the two branches of trade are now granted equal representation, not only as regards the employers, but also as regards the workers. The Sections dealing with the powers of the Special Boards, and apprentices, improvers and young workers (original Act, §§10 to 28, amending Act, §§8 to 13) contain, *inter alia*, the following new features :—The Special Boards have power to require any person to appear and give evidence ; an employer who has been compelled, in consequence of slack business, to reduce the number of his workers, may, with the permission of the Minister, retain all his apprentices, even if the proportion between workers and apprentices, as fixed by the Special Board in virtue of §21 of the original Act has been altered by the dismissals. §26 of the amending Act provides against an evasion of the regulations of the Special Board such as had been observed in the furniture trade, and which consists in the workers posing as partners with the owner of the concern in order to be able to work overtime. The new Section provides that in such concerns not more than one partner is permitted to work after the termination of the ordinary working hours.

**RUSSIA.** Instructions dated 3rd/16th July, 1909 (Text E.B. VII., p. 396, No. 2) repeat the circular letter of the former Department of Trade and Commerce of 19th June/2nd July, 1894, and contain new provisions respecting truck shops and deductions from wages.

[See also :—2.00, France, German Empire, Netherlands, South Australia, Victoria ; 2.04, German Empire, Prussia ; 2.07, France ; 2.08, German Protectorates ; 2.11, Austria, Victoria ; 2.193, South Australia, United Kingdom ; 2.196, Austria, Basle-Town ; 2.32, Australian Commonwealth ; 4.2, France.]

**2.06. CONTRACTS OF WORK.**

*FRANCE.* According to §2 of the Act of 2nd July, 1890, repealing regulations on workers' work books, amended by §59 of the Financial Act of 26th December, 1908 (Text E.B. IV., p. 78, No. 21), the working agreements (*contrats de louage d'ouvrage*) between managers of concerns and workers are subject to the provisions of common law and may be concluded in any form desired; these agreements are exempt from stamp duties and fees. By the Decree of 29th August, 1909 (Text E.B. V., p. 103, No. 9), it was made possible to conclude such agreements in Algiers, but the concession that contracts should be exempt from stamp duty and fees was not included; this exemption was later resolved upon by the Financial Delegations on 3rd June, 1910, and approved by a Decree of 29th December, 1910 (Title E.B. VII., p. 367, No. 22).

By Decree of 7th April, 1911 (Title E.B. VII., p. 369, No. 36), regulations were issued concerning the conclusion of labour contracts in French Equatorial Africa.

[See also:—2.00, France, South Australia; 2.07, France; 2.08, German Protectorates.]

**2.07. PUBLIC WORKS AND CONTRACTS.**

*FRANCE.* A Decree of the Minister of Public Works of 29th December, 1910 (Title E.B. VII., p. 367, No. 23), fixes the conditions governing the granting of contracts by the Administration of Roads and Bridges. The contractor must conform with the workshop regulations issued by the Prefect upon proposal of the Superintending Chief Engineer; the daily working hours must not exceed the normal working day customary in the locality; in cases of necessity the Chief Engineer may allow exemptions; overtime work must entitle the worker to overtime pay which is to be fixed in the contract. The number of foreign workers must not exceed the percentage fixed in the contract. Further stipulations regulate the payment of wages. A Circular of the same Minister of 30th December, 1910 (Title E.B. VII., p. 367, No. 24), with respect to the administration of the Order of 30th August, 1899, contains, amongst other things, instructions on the drawing up of tenders, on the register of wages and working hours to be attached to the contract, and on the fortnightly payment of wages to workmen's societies (*sociétés d'ouvriers français*).

*UNITED STATES OF AMERICA.* The first eight-hours day law of the United States dated from June, 1868 ("An Act constituting eight hours a day for labourers, workmen, and mechanics employed by, or on behalf of, the Government of the United States"). By the Act of 30th March, 1888, the public printer was directed to enforce the eight-hours day rigidly; this was made obligatory also for letter carriers in the postal service by the Act of 24th May, 1888. The original Act of 1868, however, did not contain any penal provisions, and consequently remained a dead letter on the whole. In addition to this, its effect was weakened to an extraordinary extent by a decision of the Supreme Court, in the case of *United States v. Martin* (4 Otto 400), by which it was decided that the Act of 1868 was only of the nature of a direction by the Government to their agents; that there was nothing in the Act to prevent the Government from arranging with their employees by contract to work more or less than eight hours a day; and that it did not prescribe the amount of compensation for those or for any

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other number of hours. In consequence of this, the workers acquired no legal means for securing the eight-hour day or payment for overtime, by virtue of the Act of 1868.

By Order of the House of Representatives, the Committee on Labour of the 52nd Congress then instituted an inquiry respecting the eight-hours day in Government employment. The result of this inquiry was a Bill which became law on 1st August, 1892. The chief provision of this law was "That the service and employment of all labourers and mechanics who are now or may hereafter be employed by the Government of the United States, by the District of Columbia or by any contractor or sub-contractor, upon any of the public works of the United States or of the District of Columbia, is hereby limited and restricted to eight hours in a calendar day." This Act also did not attain its object completely as the definition "public works" remained disputable, and was interpreted by two Attorneys-General in a narrow and technical sense.

In the meantime the movement towards an eight-hours day for public works and Government employees had resulted in legislation in more than half of the States. Since 1892 the efforts to obtain a revision of the existing federal legislation never ceased. In the special session of the Congress of 1911, Representative Hughes, of New Jersey, and the Chairman of the Senate Committee on Education and Labour, Senator Borah, introduced amending Bills similarly worded (H.R. 9061 and S. 2791 respectively). On 21st August, 1911, the Committee on Labour of the House of Representatives reported favourably on the Hughes Bill, and strengthened certain of its provisions. The Bill was passed by the House of Representatives on 14th December, 1911, and by the Senate on 31st May, 1912 (by 49 to 11 votes).

The Act, sanctioned by the President on 19th June, 1912 (Text E.B. VII., p. 405), provides that in every contract involving the employment of labourers or mechanics to which the United States, any territory, or the district of Columbia is a party, or which has been concluded for or on behalf of these authorities, the eight-hours rule shall be incorporated; and that every such contract shall provide a penalty of \$5 a day for every contravention. The following undertakings are exempt from the Act: The transmission of intelligence, the purchase of supplies in open market, transportation (the two latter for the reason that Government supplies cannot be forwarded separate from private freights, and that the extension of the eight-hours day rule to the transportation of goods for Government purposes would necessarily entail a general eight-hours day for railways and navigation undertakings); further, emergency work for protection against floods or overflows on navigable waters. The construction of the Panama Canal, which, in so far as foreign unskilled labour and supervision were concerned, had been withdrawn from the operation of the eight-hours law of 1892 by the Act of 1906 (Chapter 3912), is to enjoy an exceptional position up to 1st January, 1915. On the other hand, the manufacture of armour and armour-plate is expressly subjected to the eight-hours day rule; the inclusion of this branch signifies indirectly the introduction of the eight-hours shift in concerns which execute many contracts for the Army and Navy.

[See also:—2.01, France; 2.32, Australian Commonwealth, Basle Town; 4.3, France.]

**AUSTRALIAN COMMONWEALTH.** The Immigration Restriction Act of the Australian Commonwealth (23rd December, 1901), amended by the Act of 21st December, 1905, and the Contract Immigration Act of 21st December, 1905) was further amended by the Acts of 14th December, 1908 (Title E.B. VII., p. 323, No. 1) and 16th September, 1910 (Title E.B. VII., p. 324, No. 7), and was published in consolidated form in 1910 (Title E.B. VII., p. 324, No. 8). A provisional Order in pursuance of the Act was published on 29th October, 1910 (Title E.B. VII., p. 325, No. 10). The Act of 1908 contained chiefly provisions for the strict control of prohibited immigrants, and the Act of 1910 is also concerned mainly with prohibited immigrants. Persons assisting them either on land or on board the vessel, are guilty of an offence; further, any person having in his possession a certificate or credential which is forged or false is guilty of an offence, and any officer may search any suspected vessel for the purpose of determining whether any prohibited immigrant is in hiding. According to a statement made by the Minister for External Affairs on 27th July, 1910, on the second reading of the Bill in the House of Representatives, the policy of a "white Australia" embodied in the Immigration Restriction Act has proved quite satisfactory.

In addition to the restriction of the immigration of coloured people into "white Australia," one of the principles of the Australian policy is to prohibit the emigration of white workers into districts inhabited by coloured people. The most important question in this connection is the prohibition of the employment of young girls in theatrical companies travelling in India and other Oriental countries (*cf.* Parl. Debates, Session 1910, p. 5991). An Act of 25th November, 1910 (Extract E.B. VII., p. 326), accordingly prohibits, except in pursuance of a permit under the Act, the emigration from, or taking out of, Australia, certain classes of persons; these classes are: (1) children (*i.e.* girls under 18 and boys under 16 years) who are under contract (for which purpose "contract" is very broadly defined) to perform theatrical work; (2) children of European race or extraction, unless in the charge of some adult person of European race or extraction; (3) any aboriginal native. A permit may be given on condition that the child will not be subject to conditions liable to be detrimental to its welfare. Persons guilty of contraventions are subject to a fine of £100-£200, or to imprisonment for a term of from six months to two years. Contracts requiring a child or aboriginal native to depart from Australia must be in writing, and are void unless filed with the authorities and approved by the Minister (penalty, £20). The Minister may appoint special officers to enforce the Act. Before granting permits, security by bond may be required. The master, owner, or agent of any vessel must give notice to the Customs authorities of suspected prohibited emigrants; any officer of Customs may search any vessel or boat.

**GERMAN PROTECTORATES.** To the Labour Ordinances of the German Protectorates described in E.B. V., pp. XXVI., LIX., and VI., p. LXIII. the following should be added:—

(1) *From the Cameroons:* (a) The Order of the Government, dated 17th April, 1907 (Title E.B. VII., p. 184, No. 1), relating to the payment of natives' wages in cash. This Order requires all employers to pay the wages of native labourers in their service or employment, in cash, but they may contract for the natives to receive free board; no goods may be credited to them on account of wages; (b) the Order dated 4th March, 1908 (Title

E.B. VII., p. 184, No. 2), regulating the system prevailing in connection with carriers; only adult persons, fit for work and healthy, may be employed as carriers. The maximum weight to be allotted to a carrier is fixed at 30 kilograms. With every 10 carriers there must be one substitute. In despatching carriers or caravans, the carrier or leader must be given a dated and signed voucher by the employer. The average day's march is to be reckoned as three hours, and the maximum as four hours; for this purpose every five days' march is to be held to include a day of rest. The caravan leader has to notify the nearest accessible service station immediately of any illness or death from an illness of an epidemic nature in the Protectorate; (c) the regulations for the construction of the Cameroon North and Central Railway, dated 14th August, 1909 (Title E.B. VII., p. 185, No. 3). These relate to the composition of gangs and groups, accommodation, food, provision of water, sanitary conveniences, provision for the sick, notification of deaths and desertions.

(2) *From German South West Africa*: (a) The preliminary Order of the Government, dated 16th March, 1911 (Title E.B. VII., p. 185, No. 1), respecting the recruiting and working conditions of native workers from the Amboland; recruiters need a written permit from the Governor; detailed provisions regulate the duties of recruiters (labour contracts) and of employers; (b) the Notification of the Governor dated 16th March, 1911 (Title E.B. VII., p. 185, No. 2) to explain this preliminary Order, especially as regards the medical examination of workers before they undertake the work and their free attendance on their journey to and from the workplace.

(3) *From Samoa*: (a) An Order of the Governor dated 1st March, 1903 (Title E.B. VII., p. 185), providing that Chinese persons cannot enter the Protectorate or settle there, exercise a craft, or rent land, without the permission of the Governor; further, they are not permitted to acquire land in the Protectorate or to trade.

(4) *From German New Guinea*: An Order of the Governor dated 1st November, 1908 (Title E.B. VII., p. 185) to regulate the immigration and introduction of non-indigenous natives. According to this Order, any person who introduces any such natives under a fixed contract of service must present to the authorities within three days after landing, two copies of the contract concluded and of a list of the names. It is incumbent upon the authorities to supervise the conditions of service and, in particular, to inspect the accommodation, treatment, attendance when ill, and wages of the labourers. The employer is bound, at the demand of the immigrant labourers, to take them back at the conclusion of their service to the place where they were recruited. When this Order came into force (1st April, 1909), the following Orders ceased to apply:—The Order of the Governor of German New Guinea respecting the immigration and introduction of Chinese into the Protectorate of German New Guinea, with the exception of the Island Territory of the Carolines, Palau and Mariana, dated 1st February, 1904 (*Deutsches Kolonialblatt* 1904, p. 293); the administrative regulations in pursuance of this Order dated 1st February, 1904; and the Order of the District Board of Ponape to amend the Order respecting the recruiting and introduction of coloured labourers, dated 28th January, 1907 (*Deutsches Kolonialblatt*, 1904, p. 387).

[See also :—1.2, France, Italy; 2.00, New South Wales; 2.10, Italy.]

## 2.1. Labour Legislation for Particular Trades

### 2.10. AGRICULTURE AND FISHERIES.

*ITALY.* The Act of 16th June, 1907 (Text E.B. III., p. 180, No. 10), respecting the cultivation of rice, which was afterwards incorporated as Title IV. of the codified text of the Health Act (No. 636, dated 1st August, 1907), provided for the establishment, in every commune in the rice districts, of a conciliation board (*commissione di conciliazione*) for the settlement of individual or collective disputes with reference to the interpretation, application, or execution of contracts, or respecting local usage. This board was to consist of five members, namely, two representing the employers (*conduttori d'opera*), two representatives of the resident and itinerant workmen, and a president chosen by the parties or by the president of the district court. The regulations in pursuance of the Act of 16th June, 1907, were issued on 29th March, 1908 (extract E.B. III., p. 194). The appointment of the conciliation boards was postponed until 1909. But in 1909, the appointment of the boards had to be abandoned in nearly all communes, on account of the impracticability of the rules respecting their composition. The participation of the itinerant workmen on the boards had been indeed contemplated, but the fact had been overlooked that in most cases these itinerant workmen only come to the different communes to take up definite occupations during the course of the year, which prevented the boards, which were intended to be permanent, from being constituted in accordance with the Act. This circumstance, which was discussed on 15th May, 1909, in the Chamber (Orders of the day, motion of Samoggia) caused the Government to introduce into Parliament on 8th March 1910, a Bill to amend the provisions objected to (*Bolletino dell' Ufficio del lavoro*, XIII., 651). The Government Bill became law on 17th July, 1910 (Text E.B. VII., p. 30).

The new Act provides that out of the four party representatives on the Board, two shall be taken from the ranks of the employers and two from amongst the resident workers; in addition, four substitutes are to be chosen in the same proportion, so that the board will consist of altogether nine members. Provision has been made for the representation of the itinerant workers, in so far as four representatives of this group (two ordinary members and two substitutes) are to be added to the board, each working season, in the communes affected by immigration. Five members take part in the sittings of the board on each occasion, namely, the president, two employers' representatives, and two representatives of the resident workers, or of the itinerant workers respectively, if the dispute affects this class. In addition, the Act allows, for reasons of expediency and economy, the official district of a conciliation board to be extended over a whole circuit; it extends the competency of the boards to disputes between resident and itinerant workers respecting conditions arising out of the application of labour contracts; and it rectifies a printer's error in the penal provisions. The Special Order, dated 5th January, 1911 (Text E.B. VII., p. 31), contains more detailed regulations in pursuance of the Act.

In accordance with §2 of the Rice Cultivation Act of 16th June, 1907 (Text E.B. III., p. 180), the right is reserved to issue, by special provincial Orders, more detailed sanitary regulations, specially as regards the length and distribution of breaks for rest in weeding rice fields and in reaping and threshing the rice. The following is a list of the special Orders issued up to the present :—

PROVINCE.	DATE.	NUMBER.	PRINTED IN
Novara .. ..	April 21, 1910	223	—
Pavia .. ..	April 21, 1910	224	—
Bologna .. ..	July 7, 1910	559	Gazzeta Ufficiale 1910 Nr. 192
Vicenza .. ..	July 7, 1910	560	" 1910 " 192
Venice .. ..	July 7, 1910	561	" 1910 " 192
Brescia .. ..	Aug. 9, 1910	693	" 1910 " 246
Padua .. ..	Aug. 9, 1910	694	" 1910 " 246
Mantua .. ..	Aug. 9, 1910	695	" 1910 " 246
Ferrara .. ..	Sept. 7, 1910	720	" 1910 " 248
Reggio Emilia ..	April 27, 1911	443	" 1911 p. 4265
Catania .. ..	May 11, 1911	507	" 1911 " 4736
Alessandria .. ..	May 11, 1911	506	" 1911 " 4732
Ravenna .. ..	May 18, 1911	613	" 1911 " 4776
Pavia (Amendment) ..	May 21, 1911	563	" 1911 Nr. 153
Novara .. ..	May 21, 1911	564	" 1911 " 153
Cremona .. ..	June 15, 1911	728	" 1911 " 197
Milan .. ..	June 15, 1911	727	" 1911 " 186
Bergamo .. ..	June 18, 1911	726	" 1911 " 184
Syracuse .. ..	July 6, 1911	908	" 1911 " 205
Lucca .. ..	Aug. 14, 1911	1029	" 1911 " 230

[See also :—2.00, Netherlands ; 2.05, Antigua ; 2.4, United Kingdom.]

## 2.11. MINES, Etc.

**AUSTRIA-HUNGARY:** *Austria.* The Act of 17th May, 1912 (Text E.B. VII., p. 245), to amend the General Mining Law of 23rd May, 1854, as regards the regulation of the payment of wages, is due to the initiative of certain members of the House of Representatives, Cingr and others, and satisfies a claim made for more than two decades past by the miners, and one which had been a subject of Parliamentary discussion for more than 12 years, namely, the reduction of the periods at which wages must be paid. In many districts monthly payment was formerly the rule, especially in the Alpine districts and in the Ostrau-Karwine mines, although in the lignite coal mines of North-West Bohemia weekly payment had already been obtained (see Memorandum of the reporter Licht submitted to the House of Representatives, 62nd Sitting of the XX1st Session, on 26th March, 1912; Shorthand Reports, p. 3041). The monthly payment made it necessary to give the workers continual advances on their wages, which had already been earned but not reckoned up—a condition which was found unsatisfactory in many ways. The motion of Cingr and others (509 of the Appendixes to the Shorthand Reports of the House of Representatives, XXth Session; No. 92 of the Appendixes, XX1st Session) demanded (a) the weekly payment of wages net for all miners; (b) the inclusion of time taken in paying wages in the duration of the shift; (c) free supply of lamps, tools and blasting materials; (d) indication of the cubic capacity of the trucks; (e) competence of the regular courts in case of contravention. The House of Representatives referred the proposal to the Committee on Social Legislation, which entrusted its consideration to a sub-committee. On 29th April, 1910 (see *Soziale Rundschau*, 1910, I., 788 and 832) the sub-committee adopted a resolution in the form of an amendment to §§206 and 248 of the General Mining Act; a compromise was adopted, and it was proposed to require the wages of miners to be paid every 14 days. The whole Committee on Social Legislation likewise adopted, by a majority, the proposal



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that payment every 14 days should be made the legal rule (Sittings of 17th February and 15th March, 1911. See *Soziale Rundschau*, 1911, I., 443; Report No. 1230 of the Appendixes, XX1st Session).

The Act, which was discussed in the House of Representatives in the Sittings of 26th and 27th March (Shorthand Reports, pp. 3041 and 3064) and which was adopted also by the House of Lords, requires the mineowners to pay their workmen at least every 14 days. Where shorter periods of payment already exist, these are still to be observed. The wage is to be paid in cash: lamps and tools are to be supplied by the employer without charge; blasting and other working appliances are to be supplied at cost price. The time required for paying wages is to be reckoned within the regular duration of the shift. The cubic capacity of the trucks is to be permanently and visibly marked on them.

*BELGIUM.* In virtue of an Order of 28th August, 1911 (Text E.B. VII., p. 354, No. 3) every colliery in actual working, in which the heaviest shift includes at least 50 workers, must be provided with shower-baths and a dressing-room, the use of which must be free of charge.

*GERMANY. Prussia.* The Ministerial Decree of 11th January, 1912 (Title E.B. VII., p. 187, No. 11), fixes certain principles for regulating and defining competency with respect to the approval and inspection of electric power installations in connection with mines.

*Saxony.* In virtue of §VI., paragraph 2, sentence 2, of the Mines Amendment Act of 12th February, 1909 (see E.B. V., p. 346), a new uniform text of the General Mining Act and all supplementary and amending Acts, was issued on 31st August, 1910 (Title E.B. VII., p. 200, No. 1) an Administrative Order in pursuance of the Act was issued on 20th December, 1910 (Title E.B. VII., p. 200, No. 3).

*SPAIN.* The regulations of the Mining Police in connection with the Order of 15th June, 1897, have been revised (Decree of 28th January, 1910: Extract E.B. VII., p. 399, No. 3), and it is now provided, in accordance with the proposal of the Special Commission appointed by the Order of 29th July, 1905, that coal mines shall also come under the said provisions. The Government gave as a reason for the necessity of strengthening the existing provisions for the protection of the mine workers (numbering approximately 150,000), the fact that not less than 14,452 accidents occurred in 1907—304 of which were fatal.

By an Order of 3rd January, 1912 (Text E.B. VII., p. 404, No. 4), provision is made against the spread of ankylostomiasis. The provincial sanitary inspectors had established the existence of ankylostomiasis in 32 mines of the mining district of Linares without the proprietors having taken any measures for preventing the infection of newly-engaged workers, or for putting the infected mines in a sanitary condition. In order to prevent the disease spreading to the neighbouring district of Almeria, the Order prescribes the examination of the suspected districts by the provincial sanitary inspectors; every new worker is to be medically examined; workers suffering from the disease are not to work underground; and in addition, a number of further preventive and sanitary measures are to be taken.

**VICTORIA.** For 20 years attempts have been made to introduce a Mining Act in Victoria. Since 1891 there have been no less than five conferences of the parties concerned, and six Bills have been drafted without becoming law. The result of the first conference in May, 1891, was Mr. Outtrim's Bill, the second conference was held in July, 1894; but Mr. McColl's Bill, which resulted, did not reach any further stage than that of a draft; the third Bill drawn up at the conference of 1896, met with the same fate. The fourth conference was convened in July, 1898, and Mr. Foster's Bill, drafted in July, 1899, at least reached Parliament. The fifth Conference took place in May, 1900, and in August of the same year Mr. Outtrim submitted a new Bill, which, however, was again not debated. The sixth Bill, introduced in July, 1901, by Mr. J. B. Burton, had more success than the previous ones. It was adopted in both Houses, but was dropped as a result of the dissolution of Parliament. It was not until Mr. McBride, Minister of Mines and Forests in Mr. Murray's Cabinet, introduced a Bill in 1909, that the question was finally discussed, and the Act of 4th January, 1910, was adopted and received the Royal Assent (Extract E.B. VII., p. 393). The Act is similar to the Mining Acts of Great Britain, and the Colonies of New South Wales and New Zealand. Boys under 17 must not be employed below ground. Boys under 14 and women must not be employed at all in coal mines. In addition, the employment of boys is prohibited in caging or uncaging trucks and as landers or bracemen. Except in cases of emergency, the hours of work may not exceed eight hours a day (inclusive of half-an-hour's break for a meal) and 48 hours a week. A shift is calculated from the time a man commences to descend until he returns to the surface. Overtime is to be specially paid for, at the rate of  $1\frac{1}{4}$  wages for the first two hours and  $1\frac{1}{2}$  wages for all further hours. The owner is required to keep a register of young persons. Further provisions regulate the payment of wages and the appointment of check-weighers; the arrangement of shafts and outlets; the appointment of managers, who must be in possession of a certificate of competency; the examination of engine-drivers by a board of examiners; the issuing of certificates of competency for boiler attendants; plans (in particular, in view of the accident at Creswick, where, as a result of an inrush of water from a deserted mine, a large number of workers lost their lives, a provision was inserted in this Section requiring plans of mines which have stopped working to be deposited with the authorities); inspection; and the notification and investigation of accidents.

[See also:—2.00, Germany, Victoria; 2.01, Austria, Germany, Greece; 2.02, France, Greece; 2.03, Belgium; 2.05, United Kingdom; 2.5, Baden, France, Hamburg, Russia, Spain; 4.0, Belgium, France; 4.3, Belgium.]

## 2.12. STONE AND EARTH INDUSTRIES.

**FRANCE.** Two Decrees for the protection of glass workers were issued on 8th October, 1911 (E.B. VII., p. 377, Nos. 57 and 58). In one of these, the employment of children in glass works is prohibited (*cf.* 2.01, France), and the other contains hygienic rules for glass works in which the glass is blown by the mouth. By this latter Decree the common use of pipes by several workers is permitted only in virtue of a written certificate issued by the works' medical officer, and stating that the workers do not suffer from a contagious disease at such a stage that the disease can be transmitted by the pipes. This certificate must be renewed every fortnight in bottle glass works and in the other glass works whenever a worker is incapacitated from work by illness for more than a fortnight. If one and the same pipe is consecutively used by several workers, it must either be drawn through the fire or be disinfected in some other way before the commencement of every working shift.

**NETHERLANDS.** For years attention has been drawn in the Netherlands to the injury to health involved in stone-cutting. The high rate of mortality of stonemasons was shown especially by the statistics contained in the reports of the factory inspector in the (then) 7th inspectorial district, for the years 1903 and 1904, and also by the figures published by the "Central Statistical Bureau." According to the "Statistics of mortality in men, divided into trades, and with respect to duration of life and causes of death, in the years 1896 to 1900" (No. LXXII., new edition, 1906), the mortality figures per annum for the group "manufacture of marble goods, marble-polishing, mill-stone polishing, stonemasons, and stonebreakers," for the age group 23-35, was 14.57 per 1,000, and for the age group 36-50, 21.51 per 1,000. The first of the above figures was the highest, and the second the third highest, in the 96 groups investigated. The figure for deaths caused by "chronic diseases of the respiratory organs" amounted for this group to 1.92, and was again the third highest in the 96 groups investigated. The investigations instituted by Dr. S. Elias into conditions of health and mortality of stonemasons in the Commune of Rotterdam,\* led to the same result. An inquiry,† the results of which were published by a committee of various technical associations in 1910, showed especially the close connection between stone-cutting and tuberculosis.

Since the existing legislation made no adequate provision for combatting the injury to the health of stonemasons (the Labour Act does not apply to male persons over the age of 16, and the Safety Act only contains provisions respecting factories and workshops in which power is used or where 10 or more persons are usually present, and thus does not touch the small undertakings which form the large majority of stone-cutting works), the Government considered it necessary to prepare a special Act. The Government Bill (Appendixes, 2nd Chamber, No. 263.3) aimed accordingly especially at—(1) keeping young and less strong persons out of the stonemason's trade; (2) preventing the generation of dust as far as possible in stone-cutting, and combatting the evil effects of the creation of dust and other unfavourable influences by paying the greatest possible attention to sanitary requirements, both in the construction of the workplaces and also in the performance of the work; (3) preventing the stonemasons from being exposed to the injurious effect of their work for too long a time and from being over-exhausted.

Since the fear was expressed that the burden which it was proposed to place upon the stone-cutting trade (namely, the extensive reduction of hours of work) might have unfavourable results for the workers as regards the state of the labour market, the Government resolved at the same time, in view of the revision of the tariff then under consideration, to lay an import duty on cut natural stone. But sawn or rough-hewn blocks and slabs to be further worked up in Holland, and pavement stones, were to be exempt from this duty. The Act published on 7th October, 1911 (Text E.B. VII., p. 39, No. 11) provides especially that all workers under 21 years of age must be in possession of a stonemason's certificate. This certificate is only supplied if it appears from

\* S. Elias. "Iets over steenhouders en hun vak," academisch proefschrift, 1909.

† "Steenhoudersarbeid en steenhoudersziekte," Rapport van een commissie bestaande uit afgevaardigden van de Vereeniging van Delftsche ingenieurs, de Maatschappij tot bevordering der bouwkunst, het Genootschap "Architectura et Amicitia," de vakafdeeling voor bouw- en waterbouwkunde van het Koninklijk Instituut van ingenieurs ende Socialtechnische Vereeniging van Demoktrische ingenieurs en architecten, 1910.

a medical examination that the occupation of a stonemason would not involve danger to the health of the person concerned. The certificates of young persons under 17½ years of age are valid for only one year and only renewed after a favourable medical examination. Every stonemason is entitled annually to be medically examined without fee. Provisions are to be drawn up, by administrative Order, respecting the construction of the workrooms, the sanitary arrangements, and the appliances for protection against dust and other injuries arising from the trade. The hours of work (which, when the Act was passed, amounted to from 10 to 11 hours) are now subject to the following limitations: stonemason's work must not be carried on for more than three hours without a break; the working day for stonemasons over 17 years of age is fixed for a transitory period of two years at 10 hours and after the conclusion of this period at 9 hours; for young persons under 17 the hours are 8½ and 7½ respectively; in addition, work must not be started earlier than half-an-hour before sunrise and continued later than a quarter-of-an-hour after sunset, nor be carried on before 6 a.m. nor after 7 p.m. Work is held to be uninterrupted if not broken by an interval of at least half-an-hour. A provision that young persons under 18 years of age must be paid by time, and not by the piece, serves to protect young workers from overstrain. The Act provides that the provisions of the Act and Orders shall be posted up in all works, together with the notice to be published by the Minister, and also that a labour list shall be kept and posted up. The enforcement of the Act rests with the labour inspectors.

[See also :—2.00, Netherlands, South Australia; 2.01, France, German Empire, Hesse, Greece, Netherlands.]

### 2.13. METAL TRADES.

*GERMANY. Bavaria.* In order to bring about an improvement with respect to the protection of workers employed in the metal pickling industry a Ministerial decision of 14th July, 1911 (Title E.B. VII., p. 199, No. 1), publishes rules for the supervision of such industries, which essentially follow the lines of the rules drawn up by the Prussian Technical Commission for Industry, and published by Prussian Ministerial Decree of 8th February, 1911 (Text E.B. VI., p. 105, No. 3).

### 2.14. CHEMICAL TRADES.

*GERMANY. Empire.* By a Notification dated 23rd December, 1911 (Text E.B. VII., p. 16, No. 11), the wording of §§1, 9 and 20 of the Notification of 3rd July, 1909 (Text E.B. IV., p. 167, No. 3), in regard to the equipment and management of industrial undertakings for grinding Thomas slag or storing slag meal, is altered. The new regulations, which are explained by a circular of the Prussian Minister of Commerce and Industry, of the 6th January, 1912 (Title E.B. VII., p. 187, No. 12), have reference chiefly to the thickness and impermeability of the bags used for the packing, storing and despatching of the meal.

*Bavaria.* Regulations of the Chief of Police were issued on 9th March, 1912 (Title E.B. VII., p. 200, No. 6), with respect to celluloid works.

*Prussia.* By a Ministerial Order of 4th August, 1911 (E.B. VII. p. 186, No. 3), the instructions of 23rd December, 1908 (R.G.Bl. 1909, No. 3), for issuing regulations concerning the installation and management of works for the production of nitrate of ammonia explosives which may be safely handled, are brought to the knowledge of the Administrative Presidents of Government Districts.

The Ministerial Order of 7th May, 1910 (Title E.B. VI., p. 14, No. 3), concerning the manufacture of celluloid goods and the storage of celluloid, has been supplemented by an Order of 11th December, 1911 (Title E.B. VII., p. 187, No. 8), with respect to the soldering and unsoldering of the cases in which the goods are shipped.

[See also :—2·01, Belgium ; 4·2, Germany.]

#### 2.15. MANUFACTURE OF LIGHTING MATERIALS.

[See :—1·1, Netherlands, Victoria ; 2·03, British Colonies, Hungary, United States of America ; 2·05, Australian Commonwealth.]

#### 2.16. TEXTILE TRADES.

**FRANCE.** A Decree of 30th November, 1911 (Text E.B. VII., p. 383, No. 62) prohibits the use of cotton, cotton wool, gauze, taffetas, and similar materials which have been used for surgical dressings, in rag stores and rag-sorting rooms, rag bleaching works, unravelling, cutting-up and rope-making workshops, and in other workshops connected with the textile trade.

**GREAT BRITAIN & IRELAND.** An Act dated 16th December, 1911 (Text E.B. VII., p. 310), prohibits from 1st July, 1912, the sale of flock manufactured from rags, or the use of such flock for the purpose of making any article of upholstery, cushions or bedding, unless the flock conforms to such standard of cleanliness as may be prescribed by regulations. The possession of such flock for the purpose of sale, or for the manufacture of the aforesaid articles is likewise prohibited. Contraventions are punishable by a fine not exceeding, in the case of a first offence, £10, or in the case of a second or subsequent offence, £50. If the person charged with the offence can prove that he purchased the unclean flock from a person resident in the United Kingdom, who sold it under warranty that it complied with the prescribed standard of cleanliness, the person who sold it is liable, in place of the person originally charged, who is exempt from any fine. The sanitary authority has the duty of enforcing the Act, and is authorised to enter any suspicious rooms, and to examine any flock found therein.

In January, 1911, the Departmental Committee appointed by the Home Secretary in 1907 to investigate the question of humidity and ventilation in cotton weaving sheds, presented its second report with evidence and appendixes (*cd.* 5566, pp. XXX., 70, price 3s. 3d.) ; it presented a number of proposals for an Order to be issued by the Secretary of State. The necessary power for this purpose is granted to the Secretary of State by the Act of 18th August, 1911 (Text E.B. VII., p. 307, No. 7). The Order published on 21st December, 1911 (Text E.B. VII., p. 312, No. 11) prohibits artificial humidification in the presence of certain degrees of humidity. Only innocuous water may be used for humidification. In each humid shed hygrometers must be provided and maintained, and several readings must be taken daily and checked by representatives of the persons employed. The persons who have taken the readings must enter and sign them in the prescribed humidity register, and a copy must be sent to the inspector for the district. In dry and humid sheds definite precautions must be taken against too low a temperature (below 50 deg. F.) and draughts. Further regulations relate to steam pipes, the position of lights in the sheds, the conditions of the boiler-houses and engine-rooms, whitewashing of roofs of sheds, and arrangements for ventilation.—A Decree of 18th March, 1912 (Title E.B. VII., p. 320) contains further regulations respecting hygrometers used for the measurement of humidity.

[See also :—2·01, Baden, France, Spain.]

## 2.17. WOOD AND CARVING INDUSTRIES.

**GERMANY: Prussia.** A Prussian Ministerial Decree of 21st June, 1911 (Title E.B. VII., p. 185), points out that workers in joineries and saw-mills are often observed to be suffering from characteristic skin diseases, which expert opinion attributes to the injurious effects of the dust arising from the working of certain kinds of wood. In general, it appears that while many foreign kinds of wood are injurious, such is the case with only a few of the native woods. Moreover, with the increasing importation of foreign woods, many more cases of diseases have been observed. As a result, the German Imperial Chancellor instructed the Imperial Board of Health to give an expert opinion on the matter. The opinion of the Board of Health, dated 13th April, 1911, cites the following sources as regards cases of satin-wood dermatitis (inflammation of the skin and sometimes inflammatory irritation of the mucous membrane of the respiratory and digestive channels or the conjunctiva); *British Medical Journal* 1904, Vol. I., p. 1484; 1908, Vol. I., p. 1231; Annual Report of the Chief Inspector of Factories and Workshops 1907, p. 266; *Medizinische Klinik* 1908, p. 479, 832; *Wiener Arbeiten aus dem Gebiete der Sozialen Medizin* 1910, p. 120; *Deutsche Medizinische Wochenschrift* 1909, p. 1389; Annual Reports of the Industrial Inspectors 1909, Vol. I., p. 83; *Berliner Klinische Wochenschrift* 1909, p. 2020; *Hygienische Rundschau* 1910, No. 14; (cf. also the Report of the "Centralverband christlicher Holzarbeiter" for 1910).

"An exact botanical definition of the kinds of wood the working of which has been followed by observed cases of the diseases in question, has not, as far as we are aware, been effected in any single case; on the other hand, in some of the reports taken into consideration, it has been expressly pointed out that there was no certain experience as regards the scientific designation of the trees from which the wood is taken. In these circumstances, the Board of Health is not in a position to give, even with approximate accuracy, the scientific names of the woods in the working of which the risk of satin-wood dermatitis is involved. As appears from the literature on the subject, the commercial designations of the woods are often chosen in reference to the origin of the material or in consideration of the valuable qualities possessed by the wood from the point of view of its technical working, but which are often possessed similarly by several woods of quite different botanical kinds. Thus, in general, no safe conclusion can be drawn from the commercial designations of the woods as regards the nature of the trees from which they come.

"Nevertheless, it should be pointed out that, according to the botanical information in the literature on this subject, the reliability of which the Board of Health is not in a position to test, the following particulars can be collected as regards the origin of the woods in the working of which satin-wood dermatitis has appeared:

- East Indian Satinwood is from *Cloroxylon Swietenia* (Bidie, *British Medical Journal*, Vol. I., 1905, p. 74);
- Satinwood from Jamaica is taken from *Fagara Flava* Krug-Urban, which is identical with *Xanthoxylon Cribrosum* Sprengel (*Deutsche Medizinische Wochenschrift* 1909, p. 1389);
- West Indian Mahogany, from *Swietenia Mahagoni*;
- West African Mahogany, from *Swietenia seu Khaya senegalensis*;
- Rosewood, from *Rhodorizia scoparia*;
- African Boxwood, from *Sercocephalus Diderrichiae*;
- East Indian Teak, from *Tectona grandis*;

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Satin or Atlas Wood from Guyana, from *Ferrolia guyensis* ;  
Satin or Atlas Wood from the Antilles, from *Ferrolia variegata* ;  
African Ebony, from *Diospyros* ;  
Ebony from the Moluccas, from *Maba ebenus* ;  
Marakaibo Boxwood, from *Tabebuia pentaphylla* (*cf.* *Czimatis* and  
Hagemann, *Hygienische Rundschau* 1910, No. 14).

"Otherwise, it appears from the above that no exhaustive list of these injurious woods can be drawn up.

"In the literature respecting Satinwood Dermatitis, it is stated unanimously that not all persons who have to do with work on such woods are affected, but only those who are specially susceptible to the substances contained in the woods, which are as yet very little investigated. This fact should be compared with the observations made as regards primula poison, since not all persons who have come into contact with the ornamental plant known as *primula obconica* are affected by eruptions of the skin. It can also be compared with the experience collected in other respects as regards the origin of eczema, from which it was discovered long ago that many persons are affected regularly after handling definite substances, especially fluids, whilst others suffer no injury." (*Ministerialblatt der Handels- und Gewerbe-Verwaltung* XI., p. 259.)

[See also :—2.00, New South Wales ; 2.05, Queensland.]

### 218. CLOTHING AND CLEANING TRADES.

*GERMANY : Bremen.* An Order of the 24th September, 1911 (Title E.B. VII., p. 208, No. 5), revoking the Order of the 29th March, 1907 (*Gesetzblatt*, p. 94) modifies the provisions of the Order of 31st March, 1895, with respect to exemptions from Sunday rest in industrial concerns (*Gesetzblatt*, p. 149), with regard to the employment of workers in barbers' shops of the town of Vegesack, in such a manner that workers may be employed until 1 p.m. on Sundays and holidays, with the exception of the second Christmas festival, Easter Sunday and Whit-Sunday (*cf.* the corresponding Order of the 24th September, 1911 ; Title E.B. VII., p. 208, No. 6, concerning the hours of rest on Sundays and holidays in barbers', hairdressers' and wig-makers' businesses).

*Schwarzburg-Sondershausen, Hamburg.* A Ministerial Order of the Principality of Schwarzburg-Sondershausen, dated 1st December, 1910 (Title E.B. VII., p. 205, No. 2), and a Notification of the Free and Hanse Town of Hamburg of the 15th September, 1911 (Title E.B. VII., p. 207, No. 2), contain safety regulations for dry-cleaning works using benzine.

[See also :—2.00, New South Wales, Victoria ; 2.01, France ; 2.02, Greece ; 2.05, United Kingdom.]

### 219. BUILDING TRADES.

*FRANCE.* In a circular letter of 7th January, 1911 (Title E.B. VII., p. 367, No. 25), the Minister of Labour explains §10, paragraph 5, of the Order of 29th November, 1904 (Text F.B. III., p. 472, No. 25), concerning the health and safety of workers, dealing with handrails on scaffoldings.

An Order of 12th October, 1911 (Text E.B. VII., p. 380, No. 59), compels the proprietors or managers of industrial concerns to distribute a notice pointing out hygienic precautions to be taken amongst workers who use quick-setting cement ; the contents of this notice is communicated in an Order of 14th December, 1911 (Text E.B. VII., p. 383, No. 63), in which

the workers are recommended to protect their skin against the irritating effects of cement by making use of various precautions, such as shoulder bretelles, ointments, eyeglasses, etc., and to observe bodily cleanliness, and to consult the doctor in the case of spreading irritations of the skin. Workers suffering from the effect of cement are to be removed from work in contact with cement.

**GERMANY: Hesse.** By the Act of 8th July, 1911 (Text E.B. VII., p. 202, No. 3), the Minister of the Interior is empowered to issue, by means of Decrees, regulations concerning the protection of workmen and the prevention of accidents in building operations, above and below ground.

**Prussia.** A Ministerial Decree of 19th August, 1911 (Title E.B. VII., p. 186, No. 4), alters in several points the principles established on the 17th July, 1907, for the drawing up of police regulations concerning the protection of workers engaged in building operations. The site where a worker is employed must now not be at a greater distance than 750m. (formerly 500m.) from the place of shelter.

[See also :—2.01, Bavaria, Greece ; 2.02, Greece ; 2.5, South Australia ; 4.2, Austria.]

## 2.191. POLYGRAPHIC TRADES.

**AUSTRIA-HUNGARY. Austria.** By an Act of 7th June, 1912 (Extract E.B. VII., p. 246, No. 2), it is stipulated that all the regulations with respect to the protection of workers and to insurance applying to printing works, shall hold good also for workers employed in undertakings not subject to the provisions of the Industrial Code, in connection with printing presses or other duplicating apparatus subject to licence.

[See also :—2.02, Greece ; 2.03, United Kingdom.]

## 2.192. TRADE AND COMMERCE.

**AUSTRIA-HUNGARY. Austria.** By a Notification of the 10th June, 1911 (Extract E.B. VII., p. 19, No. 1), the Minister of Finance issued regulations for the sale of tobacco, namely: (1) Rules for warehouses; (2) Rules for retail sale; (3) Rules for dealers in specialities; (4) Official instructions with respect to the tobacco trade (*cf.* *Soziale Rundschau* 1911, 1274). The rules for retail trade contain, *inter alia*, stipulations concerning the working hours and the closing of tobacco shops, which agree essentially with those of the Decree of the Ministry of Finance of the 2nd May, 1910, No. 1051 (Text E.B. VI., p. 17). According to these rules, independent tobacconists' shops must be kept open on week-days uninterruptedly for at least 12 hours during the time from 5 o'clock a.m. to 9 p.m. The authorities may, however, grant an extension of the hours of sale, or the postponement of the closing hour until 10 o'clock p.m., as the case may be, either on particular week-days on which special conditions require extended facilities for sale, or else it may suspend entirely the restriction as to closing, either permanently or in single cases, for certain tobacconists' shops with a specially busy trade during the evening hours. For individual retail shops the sales of which are restricted to a few hours during the day, the Provincial Fiscal Authority may reduce the hours of sale. Independent tobacconists may grant assistant workers employed by them a period of rest of at least 11 hours, and a midday interval of at least one hour, if proper arrangements are made to ensure that the sales shall be carried on continuously. For Sundays and holidays a series of facilities are allowed.



The provisions here described hold good also in respect of the sale of Government stamps and Government lottery tickets, smoking requisites and newspapers. As regards the sale of other accessory articles in independent tobacconists' shops on Sundays and the specified holidays, and the sale of tobacco goods and other accessory articles in non-independent tobacconists' shops, the industrial regulations apply which hold good for the trades occupied with the sale of such articles. The tobacconist must affix in his premises, in a prominent position, the Notifications respecting the selling hours and the closing of the shop on Sundays, holidays and week-days, which he must procure himself. The selling hours for warehouses must, according to the rules laid down, amount to at least 7 on week-days, and may be extended up to 10 hours by the authorities. On Sundays, on the 1st of January, and on the afternoon of the 31st December, no goods may be given out; on the other hand, the tobacco warehouses must be kept open on the last-mentioned day at least four hours in the forenoon. The authorities may, moreover, fix the holidays on which tobacco warehouses must be kept open for three hours at most in the forenoon. For dealers in specialities the rules for retailers hold good with respect to the hours of sale and to closing on week-days, Sundays and holidays. The authorities may, however, upon request of the retailer, reduce the minimum daily hours of sale, and, if necessary, allow the shops to be closed entirely on certain Sundays and holidays.

*GERMANY : Bremen.* By an Order dated 19th May, 1911 (Title E.B. VII., p. 207, No. 2), the Order of the 25th December, 1910 (Title E.B. VI., p. 118, No. 5), with respect to the closing of shops at 8 p.m. o'clock in the Town of Bremenhaven, is declared to be in force as from 1st July, 1911.—An Order of 13th September, 1911 (Title E.B. VII., p. 208, No. 4), amending the provisions hitherto in force [Order of 3rd May, 1901 (Text G.B. I., p. 6, No. 1), with respect to the administration of the provisions of the Industrial Code Amendment Act of 1st June, 1891, relating to Sunday rest in commercial concerns; Order of 25th March, 1906 (Title E.B. I., p. 385, No. 1)] fixes the hours of employment for flower shops situate in the neighbourhood of cemeteries from 11 to 5 for Christmas Day and the last Trinity Sunday, from 11 to 6 for Easter Sunday, and from 12 to 2 and 3 to 6 for all other Sundays and holidays.

*Lübeck.* By a Notification of 28th April, 1910 (Title E.B. VII., p. 206, No. 2) trading in open places of sale, and the employment of assistants, apprentices and workers in commerce is permitted on the first Sunday after 1st May and on the first Sunday after 1st November even during the hours from 1 to 6 p.m.

*GREAT BRITAIN & IRELAND.* The British Act of 29th March, 1912 (Text E.B. VII., p. 247, No. 2), to consolidate the Shops Regulation Acts 1892-1911, marks the provisional completion of a reform which commenced in 1886. In that year a Bill was submitted to Parliament by Sir John Lubbock, which provided for a maximum of 74 working hours per week for persons below the age of 18. This Bill was the outcome of an inquiry made by the Shop Hours League into working hours and hygienic conditions in London shops, the results of which were published by the President of the League, Mr. Thomas Sutherst, under the title "Death and Disease Behind the Counter." One quarter of the employees worked for 90 hours, one half for 80 hours, and only one quarter for less hours. While the Early Closing Association, founded

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in 1842, had hoped to obtain shorter shop hours without legislative compulsion, the report of the Select Committee on the Early Closing Bill of 1886 proved the absolute failure of these endeavours. During the discussion of the Bill a uniform closing hour and the inspection of shops was demanded on many sides. Against the former proposal, however, it was urged that an Act which simply compelled the employers to adhere to a definite closing time for their employees, would injure the large concerns, as the smaller shops, working without assistants, would make competition after closing hours. Even Mr. Thomas Sutherst did not consider the inspection of shops necessary. On the other hand, the necessity of legislative action became apparent from the simple fact that a specially large number of the young shop assistants were practically without organisation, and had, in many instances, to live in, under conditions contrary to health which favoured the increase of tuberculosis and rhachitis. The Act of 25th June, 1886 (Shop Hours Regulation Act), which was to remain in force up to the end of the Parliamentary Session, therefore provided that young persons below the age of 18 should not be employed for more than 74 hours during the week (including intervals) in or about retail and wholesale shops, markets, stalls and warehouses, and also licensed public-houses and refreshment houses, and required that these rules should be made known by being posted up in a prominent position in the places affected. A fine up to £1 was fixed for every person employed contrary to the Act. Members of the family residing on the premises of the employer were exempt from this rule. The proceedings in case of contraventions were regulated in a manner similar to that provided under the Factory and Workshop Acts of 1878, but no provision was made for the inspection of shops. Nor was any mention made of compulsory closing of shops, although the first Shops Act of Victoria (1885) was known to the legislators.

During the operation of this Act, the absence of provisions with respect to the inspection of shops was felt, as well as the necessity to extend the benefits of the Act to adult women also. Against a shortening of the working hours of women, it was asserted that this would lead to the dismissal of female assistants and to their being replaced by men. The Act of 1886 was therefore simply renewed by the Act of 28th June, 1892, but the inspection of shops was enacted in an optional manner, that is to say, it was left to the discretion of the local authorities to carry through the inspection of shops in a similar way as the inspection of workshops. The domestic servants of shopkeepers were, moreover, excluded from the operation of the Act (Report and Special Report from the Select Committee on the Shop Hours Bill, 1892).

The amending Acts of 21st December, 1893, and 9th April, 1895, dealt solely with the financial regulation of local inspection, which had been omitted, and introduced penal provisions for not exhibiting the regulations of the Act of 1892.

In the meantime, the movement in favour of the closing of shops to apply also to adult male employees had become much more pronounced; in the first place, the National Union of Shop Assistants demanded early closing on Saturdays. A Bill introduced by Sir John Lubbock in the year 1895 was given a second reading, and was referred to a Select Committee. By this Bill the local authorities were authorised to issue regulations with respect to the closing of shops upon request of two-thirds of all the shopkeepers (local option). The Bill was not passed in the first instance, but, on the other hand, the provisions with respect to fines and deductions in the Truck Act of 1896, which had hitherto applied only to industrial workers (workmen), was extended to

shop assistants, upon the motion of Sir Charles Dilke, who also, later, brought in a further Bill intended to secure the following advantages to the shop assistants:—(1) Closing of shops at 7 p.m. three times a week; (2) One half-holiday during the week; (3) Restriction of overtime after the closing of the shop; (4) Maximum working time 60 hours per week; (5) Intervals for meals; (6) Sanitary regulations; (7) Provision of seating accommodation for women. Only this latter provision came into operation, in the first instance, by the Act of 9th August, 1899. A new Shops Bill, introduced by Lord Avebury, which contained essentially the provisions of the Bill of 1895, was also rejected on second reading by the House of Lords, on 18th February, 1902, after having been referred to a Select Committee of that House [*c.f.* Report from the Select Committee of the House of Lords on the Early Closing of Shops, Session 1901, (141), 1901.]

It was not until 1904 that it became possible to make a start with the legal regulation of the closing of shops (Act of 15th August, 1904). This was effected, in the first instance, on the basis of local option (assent of a two-thirds majority of the shopkeepers to the local closing order, with the reservation of confirmation and revocation by the central authorities); the closing hour on any week-day may not be before 7 p.m., with the exception of one definite week-day on which it may not be fixed before 1 p.m. The enforcement of this Act did not bring any improvement in working hours in the retail trade. (The investigations of 1901 had shown that 84 working hours per week, or, in round figures, 14 hours per day, were the average, and that the conditions were the same as in 1886, or even worse.) The Home Office ascertained that the Early Closing Regulations of the local authorities issued in virtue of the Act of 1904 failed in their operation, not only through the want of solidarity and initiative on the part of the shopowners, but also, where these did exist, through the opposition of the local authorities. For this reason the Government took up again in 1911 the principle of regulating the working hours of shop assistants in a Government Bill. It was proposed to introduce a legal maximum working time of 60 hours per week (not including intervals for meals), with a half-holiday each week, to allow overtime only if the assistants were granted a holiday of one or two weeks with full pay, and to compel the local authorities to appoint inspectors. As it was pointed out during the second reading by the Home Secretary (Mr. Winston Churchill), the Government intended to regulate at the same time the questions of Sunday rest in shops, of the Jewish Sabbath rest, and of assistants in public-houses in Ireland. The reduction of the working time to 60 hours met with such opposition when discussed in Committee, that the Government abandoned this clause in order to save those referring to intervals for meals and the half-holiday. The Act was passed in this form by both Houses, and received the Royal Assent on 16th December, 1911 (Title E.B. VII., p. 247, No. 1).

In the year 1912, in which the Act came into force, the necessity of consolidating this Act with the preceding Acts passed since 1892 made itself felt. Difficulties in enforcing the Act in the rural districts of Ireland also made textual alterations necessary. The result was the adoption of the Consolidated Act of the 29th March, 1912 (Text E.B. VII., p. 247, No. 2), the main provisions of which are the following:—

- (1) Legal prohibition to employ shop assistants after 1.30 p.m. on at least one day during the week (with the exception of the week before a Bank Holiday); from this prohibition only assistants who receive every year two weeks' leave with full pay are excluded.

(2) Fixed intervals for meals must be allowed for all assistants (in any case, twenty minutes after six hours' work).

(3) Prohibition to employ persons of less than 18 years of age for more than 74 hours per week.

(4) Provision of at least one seat for every three female shop assistants employed in one room.

(5) Shops to be closed on one week-day, at latest at 1 p.m. ; this day is fixed by the local authority on the basis of inquiries as to the desires of the majority of the shopkeepers.

(6) On the other week-days the hour of closing is regulated by the local authority, optionally, according to the provisions of the Act of 1904, in which connection the consent of a majority of two-thirds of the shopkeepers is required.

(7) The local authorities are bound to appoint inspectors, for securing the enforcement of the Act, possessing the powers of workshop inspectors.

(8) Special provisions apply : (a) To a number of businesses (retail sale of intoxicating liquor and refreshments, motor, cycle and aircraft supplies, newspapers and periodicals, medicines, perishable articles of food, tobacco, etc.), which are partly exempt from the provisions with respect to the public half-holiday and partly from the provisions of the shop closing regulations. (b) To rural districts of Ireland. (c) To shops in Ireland in which the retail sale of intoxicating liquor is carried on. In these cases the shop assistants are not to be employed for more than 72 hours per week ; they must be granted an interval for meals of at least two hours every day ; as a maximum, 90 hours overtime in the year are permitted ; the assistants' are further entitled to an annual holiday of at least seven consecutive days, after having been in the employment of the same employer for at least six months, and of at least 14 days after having been so employed for a whole year, without any deduction of wages.

[See also :—2.00, Victoria ; 2.01, Greece, Ticino ; 2.02, Austria, Greece, Italy, Ticino ; 4.5, German Empire.]

### 2.193. CARRYING TRADE.

**FRANCE.** §11 of the Order concerning sea navigation, dated 20th September, 1908 (Title E.B. IV., p. 292, No. 4), contained the provision that cabin-boys and ship's apprentices should be granted a minimum uninterrupted rest of eight hours in every 24 hours, and further periods of rest up to a total of 12 hours, that these classes of workers could be employed only for fishing between 8 p.m. and 4. a.m. ; and that each period of night-work extending over three days should be followed by a break of four days. An Order dated 4th August, 1910 (Extract E.B. VII., p. 364, No. 11), limits the last-named regulation to deep-sea fishing, and grants, moreover, to other fishing vessels periods of night-work extending only over two days. It further reduces the age of admission to cod-fishing vessels (*doris de peche*) from 18 to 17 years. A second Order, dated 4th August, 1910 (Title E.B. VII., p. 365, No. 12), alters several provisions of the Order concerning sea navigation dated 21st September, 1908 (Title E.B. IV., p. 292, No. 5), in particular with respect to the outfit, sleeping cabins, lighting, etc., of the fishing-boats.

**GERMANY : Prussia.** The transport of dangerous articles by means of merchant vessels has been regulated by a Police Order of 30th March, 1912 (Title E.B. VII., p. 199, No. 17).

*GIBRALTAR.* The Merchant Shipping Ordinance of the year 1886 has been amended in some respects by an Order dated 31st March, 1909 (Title E.B. VII., p. 323, No. 1).

17 *GREAT BRITAIN & IRELAND.* A Bill which was introduced in Parliament by Mr. Holt, and recommended by the Board of Trade, and which became law on 18th August, 1911 (Text E.B. VII., p. 303, No. 4), has the object of removing doubts as to the true interpretation of certain provisions of the Merchant Shipping Acts 1894 to 1906 (*cf.* Extract E.B. I., p. 477, No. 5), concerning the payment of wages. It is now stipulated that in virtue of an agreement with the master, a seaman may be granted an allotment note providing for more than half of the wages to be paid to him, and for the payment of wages to be effected at an earlier period than one month from the date of the agreement with the crew and at shorter intervals than every month.

An Act dated 16th December, 1911 (Text E.B. VII., p. 309, No. 9), enables dock labourers employed in the stowing or discharging of ships' cargoes, or in the trimming of coal on board ships, to enforce effectively their claims for wages. Formerly they were unable to do so as against foreign shipowners or charterers of ships. The stowers or trimmers were not considered as seamen, and consequently did not possess the maritime lien. According to the new Act, every stower or trimmer who has a good claim for wages may now obtain from the ordinary courts an order for the arrest of the debtor's ship. In virtue of such a detention order issued by a Judge, any Customs officer may detain the ship in question until the claim has been paid, or until a sufficient security has been deposited, should the debtor risk an action; if there is any possibility of the ship not waiting for the result of an application for an order, the Board of Trade may order its detention.

*GREECE.* The regulation of the railway and tramway services was the subject of a Government Bill dated 16th-29th June, 1911, which, after consideration by a parliamentary commission (report of Thr. Petmezas of 9th/22nd November, 1911) was discussed by clauses for the first time on 7th/20th December, 1911, and for the second time on 18th-31st December, 1911; the general debate took place on 20th December/2nd January, 1913, and the Bill became law on 24th January/6th February, 1912 (Text E.B. VII., p. 283, No. 6). The Act provides that all the service regulations of railway companies shall be submitted for approval to the Minister of the Interior. These regulations are elaborated by the Railway and Tramway Council; the employees must be consulted incidentally. The last instance for appeal is the Council of Ministers. The Commission, in their proposals, had in addition provided that the Superior Labour Council should express an opinion on the regulations; but, in view of the technical nature of the railway services and the working of railways, the Government procured the rejection of the amendment. In addition, the Act provides that, within at least six months after its publication, the maximum working hours, as well as the minimum periods of rest for each class of the railway and tramway staff, shall be regulated by order. The motion of Petmezas to introduce a legal standard of hours of work for State railway employees, after the model of the Swiss Act of 15th December, 1902 (Text G.B. I., p. 671, No. 2), respecting hours of work in railway and other traffic undertakings, had already been rejected by the Commission. If an employee is employed contrary to regulation, a fine of from 15-50dr. is imposed; the companies are liable, according to the civil law, to the payment of penalties imposed on their representatives. The penalties are to be

paid into any benevolent and pension funds of the railway undertakings, or else into the workmen's provident fund which is to be established.

**NETHERLANDS.** The following regulations have been issued for the protection of seamen : A Decree dated 7th March, 1911 (Title E.B. VII., p. 37, No. 3), contains the sanitary requirements to which Dutch ships must conform when voluntarily subjected to the permanent State supervision of accommodation for seamen and existing hospital accommodation, in order to procure a certificate of fitness from the chief inspector of shipping. The regulations deal especially with questions of sanitation and construction, respecting the size, fittings, and position of the accommodation, sleeping places, heating, ventilation, cleaning, hospital rooms, and the care of the sick. According to a Decree of 7th March, 1911 (Title E.B. VII., p. 37, No. 4), in pursuance of §67, paragraph 1 (a) of the Ships Act (Title E.B. VI., p. 88, Introduction p. LXXXVI.), the provisions of the French Shipping Act of 17th April, 1907 (Extract E.B. II., p. 246), respecting the load line, are to apply in the same way as the provisions of the Dutch Act.

**SOUTH AUSTRALIA.** An Amendment of the Marine Board of Navigation Act, 1881, dated 8th May, 1907 (Extract E.B. VII., p. 347), grants to the master of a ship the same rights and remedies for the recovery of his wages and retention of wages as are possessed by ordinary seamen in virtue of the original Act, and prohibits the shipment and unshipment of goods on Sundays with certain exceptions.

[See also :—2.00, Victoria ; 2.21, German Federal States ; 2.5, France, Italy ; 4.2, Australian Commonwealth, France ; 4.3, France.]

#### 2.194. HOTELS AND RESTAURANTS, Etc.

**MALTA.** By Order dated 30th September, 1910 (No. XI. of 1910), Malta amended and supplemented her police laws. An additional §65 prescribes that steam-boilers on land must be under the constant superintendence of a licensed person, and an amended §117 prohibits the opening of wine and spirit shops between the hours of 11 p.m. and 4 a.m. ; but such places may remain open until 1 a.m. on payment of the regulation fee or by special authorisation of the Head of the Government.

#### 2.195. DOMESTIC AND PERSONAL SERVICE.

**AUSTRIA-HUNGARY.** *Austria.* A Ministerial Order dated 3rd July, 1912 (Text E.B. VII., p. 352), contains regulations relating to the carrying on of the occupation of persons who offer personal services in places other than public places (such as messengers, porters, guides, and so forth). In particular, the proprietor of the undertaking is required to provide suitable waiting-rooms for such persons ; only persons who are physically fit, and above the age of 16, may be employed as messengers. The proprietor of the establishment is further bound to give to the competent authority, and also to the Governmental Police Authority (in places where such exists), a list of the persons employed as messengers, etc., with the respective dates of their birth, and to notify any subsequent alterations of this list.

*Austria below the Enns.* New Regulations have been substituted by the Act of 28th October, 1911 (Extract E.B. VII., p. 22), for the "Service rules for domestic employees of the City of Vienna" of 1st May, 1810. The old rules maintained the object of improving "the degenerated discipline.

of servants"; they gave the employer the right of corporal punishment ("within the limits of proper moderation"), and imposed upon him the obligation of demanding from a servant an account "of expenditure not in accordance with his position." In the new regulations, the relations of service are considered as relations based on wages and coming under the civil law; they also contain some requirements for the protection of the workers. The admissible age is fixed at 14 years. The daily working hours are not definitely limited, but they must not be extended to the detriment of health beyond a limit proportionate to the age of the servant and his capacity for work, nor must he be required to do work which is beyond his strength. The servant is entitled to claim the necessary time for attending divine service on Sundays and holidays, and further time for recreation and for attending to his own affairs; he must be given leave of seven hours in every second week, as far as possible on Sundays and holidays, and male servants above 21 years of age must be allowed half a day in each week. The employer has to provide for a sick servant for not more than four weeks, and to give him, in addition to his wages, either maintenance and treatment in hospital, or board and lodging, medical treatment, and the necessary medicines. (See also H. Morgenstern "Oesterreichisches Gesinderecht," Vienna, 1912, Manz.)

## 2.196. MILITARY AND CIVIL SERVICES.

**AUSTRIA-HUNGARY.** *Austria.* The Order of the whole Ministry of 27th September, 1911 (Title E.B. VII., p. 21, No. 2), amends certain provisions of the Order dated 15th October, 1902 (Title G.B. I. p. 510, No. 3), in regard to temporary servants employed by public authorities, offices, and institutes. The alterations in question refer to the periods for the payment of wages, notice, and the preferential rights of temporary servants and of the widows and orphans of temporary servants.

**FRANCE.** An addition was made to the Financial Act dated 13th July, 1911 (Text E.B. VII., p. 375, No. 51), on the motion of the Deputies Lemire and A. Veber (§95), according to which the Act of 13th July, 1906 (Text E.B. I., p. 185, No. 3), on the weekly day of rest is also to apply to the clerks in the offices of Government officials.

**GREAT BRITAIN AND IRELAND.** An Act dated 26th July, 1910 (Text E.B. VII., p. 299, No. 2), requires the Police Authorities in England and Wales to make provision for every constable to be allowed at least 52 days in a year, on which he is not required to perform police duty; these days are to be distributed in such a manner that one day's rest is allowed as far as possible in every seven days. By this provision from 70,000 to 80,000 persons, who up to the present had been deprived of this boon, obtained the benefit of a regular weekly day of rest. [*Cf.* Police Forces (Weekly Rest Day). Report of Select Committee of the House of Commons, with Proceedings, Evidence, and Appendices, H.C., 132 pp., LX., 1½d.; H.C. 353 pp., VIII., 223, 1s. 10d.] The annual additional charge in the Borough of Reading, where the policemen have been granted a weekly day of rest since 1903, amounts to one farthing in the £1 (Parliamentary Debates, 1910, House of Lords, Vol. 5, Col. 903). Provision is made for the Act to be enforced everywhere at latest four years after its passing [§1 (2)].

**SWITZERLAND.** *Basle Town.* The Act of 8th July, 1909 (Extract E.B. IV., p. 278, No. 1), relating to the conditions of service of Cantonal officials, employees, and workers, has been extended by a supplementary Act of 14th December, 1911 (Text E.B. VII., p. 137, No. 3), by some further provisions

which bring the working hours of persons employed in slaughter-houses into better harmony with actual requirements, and which supplement the provisions concerning payment of overtime and special payments.

[See also :—2.01, Greece ; 2.21, German Federal States ; 2.32, Australian Commonwealth, Basle Town ; 4.3, Bremen ; 4.5, France.]

## 2.2. Unemployment and Employment Bureaux

### 2.20. UNEMPLOYMENT.

[See 2.5, France ; 4.4, France, Basle Town.]

### 2.21. EMPLOYMENT BUREAUX.

**FRANCE.** Since 1910 the French Ministry of Labour (Labour Office) has made efforts to promote labour exchanges under joint management (see Ch. Picquenard: *Les Bureaux municipaux de placement en Allemagne*, publication de l'Office du Travail, Paris, Imprimerie Nationale, 1910 ; Inquiry into the results of free labour exchanges in France in 1909, *cf.* *Revue internationale du Chomage* I., 342). In a circular letter dated 14th March, 1910, the Minister declared himself prepared to consider the question of the means by which the charges accruing to the Communes by the establishment and working of Communal exchanges might be reduced. The Minister fulfilled his promise by proposing to devote out of the frs.110,000 which had been included annually since 1905 in the Budget for assisting Unemployment Funds and which had never been completely used, the sum of frs.25,000 for assisting the free Communal Labour Exchanges. The Budget Committee increased this amount by frs.10,000, making it altogether frs.35,000, and by §119 of the Financial Act of 13th July, 1911 (Text E.B. VII., p. 376, No. 52), it was provided that the use of this credit should be regulated by Decree, issued jointly by the Ministers of Labour and Finance. This has now been carried out by a Decree dated 25th October, 1911 (Text E.B. VII., p. 380, No. 60). This Decree makes the grant to the Communal Labour Exchanges dependent on the following conditions : They must be under the control of a committee composed half of employers and half of workers or employees, with an independent President, who has no vote ; they must continue their functions in the case of strikes or lock-outs, but must inform the applicants for work of the state of the dispute ; at least 25 positions must be filled through their agency every month. The grant for the local work of the Labour Exchanges amounts to from 15 to 30 per cent. of the expenses according to the extent of the business, and for inter-local work 50 per cent. of the expenses. (*Cf.*, further, the Circular of the Minister of Labour dated 15th November, 1911 ; Title E.B. VII., p. 383, No. 61.)

**GERMANY : Federal States.** To the lists given in E.B. V. p. LXXXVI., and VI., p. LXXXV., of regulations in pursuance of the German Act of 2nd June, 1910 (Text E.B. V., p. 171), relating to employment agents, the following must be added :

**Prussia :** Decrees respecting the Employment Agents Act, dated 24th August and 10th November, 1911 (Titles E.B. VII., p. 186, Nos. 5 and 6) ; **Bavaria :** Notification relating to employment agencies, dated 16th December, 1911 (Title E.B. VII., p. 199, No. 2) ; **Saxony :** Order relating to the business of professional employment agencies, dated 20th October, 1910 (Title E.B. VII., p. 200, No. 2) ; Order relating to the drawing-up of statistics



with respect to professional employment agents, dated 29th November, 1911 (Title E.B. VII., p. 201, No. 5); *Mecklenburg-Strelitz*: Order for the carrying out of the Act relating to employment agents, dated 26th September, 1910 (Title E.B. VII., p. 203, No. 2); *Brunswick*: Order relating to the carrying out of the Act relating to employment agents, dated 13th October, 1910 (Title E.B. VII., p. 203, No. 3); Notification relating to the carrying out of the Act relating to employment agents, dated 13th October, 1910 (Title E.B. VII., p. 204, No. 4); Notification in regard to the working of the business of professional employment agents for members of the theatrical profession and for sailors, as well as of the publishers of employment and vacancy registers, dated 13th October, 1910 (Title E.B. VII., p. 204, No. 5); Notification in regard to the working of the business of professional employment agents for members of the theatrical profession, excluding the publishers of employment and vacancy registers, dated 13th October, 1910 (Title E.B. VII., p. 204, No. 6); Notification in regard to the working of the business of publishers of employment and vacancy registers, dated 13th October, 1910 (Title E.B. VII., p. 204, No. 7); Notification in regard to the tariff of fees of employment agents for members of the theatrical profession, dated 13th October, 1910 (Title E.B. VII., p. 204, No. 8); Notification in regard to the tariff of fees of publishers of employment and vacancy registers, dated 19th October, 1910 (Text E.B. VII., p. 204, No. 9); *Saxe-Allenburg*: Order of the Ducal General Ministry for the carrying out of the Act relating to employment agents, dated 15th October, 1910 (Title E.B. VII., p. 205, No. 2); *Saxe-Coburg-Gotha*: Two Orders relating to the carrying out of the Act relating to employment agents, dated 5th November, 1910 (Titles E.B. VII., p. 205, Nos. 1 and 2); *Schwarzburg-Sondershausen*: Administrative Order in regard to the Act relating to employment agents, dated 30th September, 1910 (Title E.B. VII., p. 205, No. 1); *Schwarzburg-Rudolstadt*: Administrative Order concerning the Imperial Act relating to employment agents, dated 20th October, 1910 (Title E.B. VII., p. 205); *Waldeck*: Order concerning the carrying out of the Act relating to employment agents, dated 30th September, 1910 (Title E.B. VII., p. 206); *Reuss Elder Line*: Order in regard to the working of the business of professional employment agents, dated 27th September, 1910 (Title E.B. VII., p. 206); *Reuss Younger Line*: Administrative Order concerning the Act relating to employment agents, dated 18th October, 1910 (Title E.B. VII., p. 206); *Lippe*: Order for carrying out the Act relating to employment agents, dated 31st August, 1910 (Title E.B. VII., p. 206, No. 2); *Lübeck*: Administrative Order concerning the Act relating to employment agents, dated 24th August, 1910 (Title E.B. VII., p. 207, No. 3); Notification relating to the tariff of fees of professional employment agents, dated 28th September, 1910 (Title E.B. VII., p. 207, No. 4).

*SWITZERLAND. Appenzell Ausser-Rhoden.* An Act passed by the Canton of Appenzell Ausser-Rhoden on 30th April, 1911 (Title E.B. VII., p. 144, No. 1), declares the supply of provisions for destitute persons passing through the Canton and public labour exchanges to be Cantonal and Communal matters, and provides that there shall be labour exchanges in connection with the centres for relief in kind, which exchanges may also be used by the inhabitants of the Canton. As regards the public labour exchanges, the Regulations issued by the Confederation are to apply (*cf.* the Resolution of the Federal Council with regard to the improvement of Labour Exchanges by the Confederation, dated 29th October, 1909; Text E.B. V., p. 68). The procedure is regulated by a Decree of 24th November, 1911 (Title E.B. VII., p. 144, No. 2).

## 2.3. Industrial Courts ; Right of Combination ; Conciliation and Arbitration.

### 2.30. INDUSTRIAL COURTS.

**BELGIUM.** For the purpose of administering the Act, dated 15th May, 1910 (Extract E.B. VI., p. 132), respecting Trade Councils, a number of Decrees and Circulars have been issued (Titles E.B. VII., p. 359, Nos. 10, 11 ; p. 360, Nos. 13, 14, 15, 16).

**FRANCE.** In a letter dated 30th March, 1910 (Title E.B. VII., p. 363, No. 2) the Minister of Labour refers to the abuse of counter claims made before Trade Councils.

**GERMANY.** *Lübeck.* The Act relating to Industrial Courts, dated 25th November, 1905, has been altered slightly in three places by the supplement of 16th February, 1910 (Title E.B. VII., p. 206, No. 1).

### 2.32. CONCILIATION AND ARBITRATION.

**AUSTRALIAN COMMONWEALTH.** The Commonwealth Conciliation and Arbitration Act, dated 15th December, 1904, has been altered by three amending Acts during the years 1909 to 1911.

(1) The amending Act, dated 13th December, 1909 (Text E.B. VII., p. 112), fixes an earlier period than the original Act for the commencement of the protection which is accorded to members of registered organisations (§55 of the original Act) against unjustified dismissal. In §9 of the original Act it had been stipulated that an employer might not dismiss a worker for the sole reason that such worker was an official or member of an organisation, or was entitled to the benefits of an industrial agreement or award, and §10 contained a corresponding provision concerning the conduct of the worker as against the employer. It now happened that employers discharged their workers as soon as their organisation applied for registration. In order to prevent such a proceeding, which is contrary to the spirit and meaning of the Act, §2 of the amending Act now provides that no employer may discharge any worker from his employment or injure him in his employment simply for the reason that he is an official or member of an organisation, or of an association which has applied for registration as an organisation, or that he is entitled to the benefit of an industrial agreement or award.

(2) The amending Act, dated 29th August, 1910 (Text E.B. VII., p. 114) contains a number of new features for which the Labour Party had striven in vain for years and which it hastened to introduce when it came into power with the Fisher Cabinet. The definition of the word "employee" has been extended ; this word is extended to include, not only persons who are actually working in a definite industry, but also persons who would be so employed under ordinary circumstances if they did not chance to be out of work or otherwise employed. Domestic service, and the agricultural, viticultural, horticultural and dairy industries, which hitherto did not come within the operation of the Act, are now subjected to it (§2 of the amending Act). By §3 of the Act, the President of the Commonwealth Conciliation and Arbitration Court is empowered, when a labour dispute is threatened, to summon employers and workers and to compel them to appear before the Court ; persons failing to comply are subject to a penalty of £500. By §4 of the amending Act it is also intended to make an earlier intervention of the Conciliation and Arbitration Court possible. As the Constitution of the

Australian Commonwealth expressly empowers Parliament to promulgate Acts, not only for settling industrial disputes, but also for preventing them, §19 of the principal Act, is modified by §4 of the amending Act in such a manner that, in future, the Conciliation and Arbitration Court will be able to give decisions also on differences of opinion which have not yet developed into an actual dispute. By §6 of the amending Act (amending §25 of the principal Act) the President is given certain powers with respect to proceedings which formerly belonged only to the Court as such. According to §27 of the principal Act, the consent of the opposite party or of the President was required for any person to be represented by a lawyer before the Conciliation and Arbitration Court; by §7 of the amending Act the condition of the consent of the President is repealed. In its decision on the Broken Hill and Port Pirie dispute, the Conciliation and Arbitration Court had assumed the right to amend the original plaint. This power was disputed by the High Court. In order to remove all doubts, §8 of the amending Act expressly recognised the right of the Conciliation and Arbitration Court to amend the plaint. §9 removes the restrictions with which the principle of preferring members of organisations (as laid down in §40 of the principal Act) was surrounded; in future the Court may order "that, as between members of organisations of employers or employees and other persons (not being sons or daughters of employers) offering or desiring service or employment at the same time, preference shall, in such manner as is specified in the award or order, be given to such members, other things being equal," the amendment of §55 of the principal Act by §11 of the amending Act, is connected with this.

(3) The amending Act dated 23rd November, 1911 (Text E.B. VII., p. 117). The most essential new feature in this amending Act is a modification of the definition of the word "industry." The High Court had decided that the calling of the employer, and not that of the worker, should determine the interpretation of the word "industry," and had thus made it impossible for the organisation of the engine-drivers (distributed over the most varied trades of employers) to appeal to the Conciliation and Arbitration Court. This interpretation did not fulfil the intention of Parliament, all the more so since, in addition to the engine-drivers, another 20 organisations (amongst others the Amalgamated Society of Engineers and the Federal Carters' and Drivers' Association) were in a similar position, and were in danger of losing, in consequence of this decision, the benefits of the Conciliation and Arbitration Act. For this reason, the definition is altered by §3 of the amending Act in such a manner that the term "industry" includes all callings of employers and employees and all branches or groups of industry. Of the remaining provisions of the amending Act, we may further mention §2 (relating to §4 of the principal Act), by which the definition of the term "industrial dispute" is extended, so that, in future, the Conciliation and Arbitration Court can decide on every dispute, no matter whether or not any organisation takes part in it.

By an Act dated 18th December, 1911 (Text E.B. VII., p. 334) Government officials and employees (about 16,000 permanent and 19,000 non-permanent) are enabled to settle differences of opinion with the authorities and other claims before the Conciliation and Arbitration Court. The provisions of the new Act are, on the whole, drafted on the model of the Conciliation and Arbitration Act of 1904. Every class of employees numbering at least 100 may be registered as an organisation and reach the Court as such.

If a certain class or grade numbers less than 100 members, three-fifths of the total number is sufficient for founding an organisation which can be registered. A registered organisation may submit to the Court any claim of its members with respect to salary, wages and conditions of service, such claims are to be dealt with by the Court as industrial disputes. The State, as employer, is represented in such disputes either by the Public Service Commissioner or the Minister of the Department of State affected by the claim, or by both. The employment of counsel or solicitor is not permitted. The functions of the Court are the same as those fixed by the principal Act. The Court may refer certain cases for investigation and decision to the courts of the several States ; in such a case, however, the parties concerned are entitled to appeal to the Court. No appeal lies against the decisions of the Court. The Public Service Commissioner, the heads of Departments and the other Government officers, must comply with the awards of the Court. Each party has to pay its own costs. Decisions of the Court which are not in accordance with any legal provision (for instance, with respect to any rate of pay fixed in the Government Service Act) must be submitted in the first instance to Parliament for approval, and have no validity if one of the Houses refuses its approval. One of the consequences of the new provisions was that the office of Industrial Registrar was withdrawn from the control of the Public Service Commissioner and formed into an office in the Administrative Department of the Public Service.

*SWITZERLAND. Basle Town.* By Act of 9th November, 1911 (Text E.B. VII., p. 95), respecting the permanent official Board of Conciliation, the Swiss Canton of Basle (Town) revised the Act of 20th May, 1897, concerning the establishment of a Board of Conciliation, which was one of the first of its kind in Switzerland. The Act of 1897 (Administrative Order of 6th January, 1900) showed a number of defects, to which the Department of the Interior had, as early as May, 1905, drawn the attention of the State Council, in a written report. The following defects were mentioned :—(1) The omission of provisions compelling the parties to appear before the Board of Conciliation, and to enter into negotiations ; (2) Certain inadequacies in the provisions concerning the composition and proceedings of the Board of Conciliation (want of distinction between representatives of the parties and assessors ; impossibility of complying with the condition that the assessors should be independent experts ; insufficient separation of the conciliation and arbitration proceedings ; the absence of competency of the Board of Conciliation to examine into the causes and special circumstances of a dispute ; overburdening of the State Councillors entrusted with the direction of the Conciliation Board ; non-existence of compulsion to assume office ; loss of time in the new appointment on each occasion of the Conciliation Board, which was not permanent ; want of obligation on the part of the parties to notify the Conciliation Board, under certain circumstances, of the existence of a collective dispute ; the absence of exact rules for the admission of representatives of the parties and assessors ; want of rules as to the proportion between organised and non-organised interested parties ; want of stipulations concerning the breach of agreements made before the Conciliation Board).

The labour disputes of 1905 which caused a stoppage in the building trade of several months' duration, led the Grand Council to refer to the Government on 23rd November, 1905, a motion of Feigenwinter and others according to which the State Council was instructed to examine and to report on the question "whether it would not be possible by legal measures, such as the institution of public independent trade associations for workers and employers,

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and the institution of a Government Labour Office, to arrive at binding collective contracts of work on the one hand, and, on the other hand, at a settlement by arbitration of collective disputes between workers and employers and thereby to protect workers and employers from stoppages in work." On the basis of an expert statement on systems of conciliation\* in the principal countries of the world, the Department of the Interior drafted a Bill in the summer of 1908. This Bill was discussed the following winter by an extra-Parliamentary Committee, and was then submitted to the Grand Council as a Government Bill on 9th December, 1909 (Ratschlag No. 1743).

The Bill has reference solely to collective disputes in private industries. As regards the question, closely connected therewith, of creating bodies for preventing or settling disputes between superiors and subordinates in the public administration (*cf.* Report No. 1561 of the State Council to the Grand Council on the attempt to establish Workers' Committees in the Public Administration, dated 29th August/13th September, 1906, and "Ratschlag" No. 1709, concerning the insertion of provisions on Committees of Officials, Employees and Workers in the Officials Act and concerning the question of the settlement by Arbitration Courts of labour disputes in works under the Public Administration, dated the 5th/6th May, 1909), the Grand Council renounced the system of arbitration, in accordance with the proposal of the State Council, for constitutional and practical considerations. It was, however, decided to incorporate in §19 of the Act of 8th July, 1909 (Extract E.B. IV., p. 278, No. 1), respecting the conditions of service and payment of officials, employees and workers of the Canton of Basle (Town), the institution of committees of officials, employees and workers for representing their interests before all superior authorities, and for approving the rules to be drawn up for regulating the conditions of service.

In view of the anticipated revision of the Factory Act, the legal conditions of employees of the Administrations of the Confederation and of foreign States existing in the Canton (Railway and Customs Administrations), were left to Federal legislation.

The following are the principal new features in the Government Bill:— Introduction of a permanent Conciliation Board with a permanent office; institution of compulsory service for members and assessors of the Conciliation Board; appointment, not only of the President, but also of the other permanent members, from amongst persons in neutral trades, and restriction of the selection of the assessors to persons not connected or connected only indirectly with the dispute; distinction between assessors and representatives of the parties; establishment of definite rules as to the admissibility as representatives of the parties; exact definition of "proprietors," "workers," and "collective disputes"; separation of conciliation and arbitration proceedings; relief of the members of the State Council from the functions of mediators and arbitrators, and, on the other hand, institution of the State Council as elective and superintending authority for the Conciliation Board, and, in certain cases, as an instance of appeal; introduction of the obligation of the parties to give notice and to enter into negotiations; obligation of the Conciliation Board to institute conciliation proceedings officially; authority or obligation of the Conciliation Board to establish the facts by hearing witnesses, obtaining expert

\* Einigungsamt und Schiedsgericht zur Lösung von Kollektivkonflikten zwischen Arbeitgebern und Arbeitnehmern. Darstellung der Normen öffentlich- und privatrechtlicher Natur in den Staaten Europas, Australiens und Amerikas. Im amtlichen Auftrag zusammengestellt von Max Gisi. Basel, Helbing and Lichtenhahn, 1907..

opinions and producing other proofs (compulsion to give evidence and furnish proofs); restricted introduction of arbitration proceedings, but without compulsion to accept the award unless both parties submit to the same in advance; conditional introduction of publicity in the proceedings of the Conciliation Board; detailed regulation and, at the same time, limitation of the duration of the proceedings; express establishment of the principle of exemption from fees, notwithstanding the greater cost of conciliation proceedings; issue of regulations for cases of infringement of agreements and awards, adoption of suitable penal provisions; regulation of the competency of private conciliation boards, etc., in the place of the Government Board; promotion of the conclusion of collective agreements and of voluntary trade organisations of workers and proprietors.

The Committee of the Grand Council instructed to consider the Bill (Report No. 1797 of 13th April, 1911), did not make any essential alterations. In particular, it did not see any reason—in view of §25 of the Federal Factory Bill, which provided for the Conciliation Boards which were to be created a different organisation for the appointment of assessors (election by the factory owners and workers in advance)—to postpone the matter until the same might perhaps be settled by Federal enactments. On the other hand, the Committee regretted that no provisions could be set up to make the awards generally executory (as, for instance, in New Zealand and Denmark). “As regards the parties, we have no legally recognised and comprehensive organisations, as are assumed to exist by the Danish legislation. From the point of view of public law, we have not a basis for fixing, for instance, minimum wages, in a binding manner by the Arbitration Courts, as is admitted for certain trades by the English Act of 20th October, 1909 (E.B. V., 23) concerning the establishment of Trade Boards.” The Bill of 9th November, 1911 (Text E.B. VII., p. 95) became law with few alterations.

The Act stipulates, in the first instance, that as soon as a collective dispute (that is to say, a dispute concerning working conditions, provided that at least 10 workers and one or more proprietors are concerned with the matter in dispute) and a strike, lock-out, stoppage or boycott threatens, the governing bodies of the organisations concerned, and if no such associations exist, the workers and employers themselves, must notify the Conciliation Board, as a rule, within 10 days. If the private attempts at conciliation have broken down, and the strike, lock-out or boycott has already commenced, the fact must be immediately notified. Omission to make such notification entails a penalty of from 3 to 20frs. The Conciliation Board may also take action on its own initiative, and the State Council may order the Conciliation Board to intervene for reasons of public policy. The obligation of the parties to give notice does not apply if they have already agreed in advance in a collective agreement, upon a non-official conciliation board approved by the Government, or if they have submitted to the same immediately on the dispute breaking out. The official Conciliation Board is a permanent institution, and is appointed by the State Council for a period of three years. It consists of three members and nine substitutes, who need not be either employers or workers. [At the present time the Conciliation Board consists of a President of the Court of Appeal, a University Professor (of Economics), and a former State Councillor (Director of the Building Department)]. In addition to these conciliation functions, the following are the principal duties of the Board:—It must direct its efforts to obtaining the conclusion of collective agreements for certain periods between proprietors and workers; it must further see

that the agreements made before it, and the awards given by it, are adhered to, and make a collection of collective agreements, and by this means, to a certain extent, exercise the functions of the central office for promoting collective agreements the creation of which was demanded in March, 1911, in a resolution of the German Reichstag.

Should the attempt at conciliation be abortive, the functions of the Conciliation Board are extended into those of a Court of Arbitration, upon request of the parties or by order of the State Council ; and it is compulsory to appear before this Court also. Should one of the parties make it impossible to carry through the arbitration proceedings, by not designating representatives or by rejecting the proposals for a settlement, or by rejecting the award, the arbitration proceedings must be considered to have failed. The coming into force of the award or the failure of the arbitration proceedings, in the latter case with indication of the essential reasons, must be immediately published by the Conciliation Board. An Order of 10th February, 1912 (Text E.B. VII., p. 138) regulates in detail the execution of the Act.

[See also :—2.00, New South Wales, South Australia, Victoria ; 2.04, German Empire ; 2.05, Great Britain and Ireland, Greece ; 2.10, Italy ; 2.5, Greece.]

## 2.4. Housing.

**AUSTRIA-HUNGARY.** *Austria.* The Austrian Act of 22nd December, 1910 (Text E.B. VI., p. 22, No. 9), created a Government Housing Fund, the purpose of which is to assume a guarantee for first mortgages up to 90 per cent. of the buildings of public utility, and to grant direct credit to public benefit building associations. The promotion of housing provision by legislation which was initiated by this Act was continued by three Acts issued on 28th December, 1911 (Titles E.B. VII., p. 22, Nos. 4-6). (For further details, see *Soziale Rundschau* 1912, I., 51.)

The first of the three Acts concerning the remission of taxes on new buildings, additional buildings, and rebuilding in general, and tenement buildings in particular (Title E.B. VII., p. 22, No. 4), provides in its first chapter for general advantages (reduction of rent tax and reduction of the years of exemption from taxes from twelve to six years) ; the second chapter contains special stipulations for small dwellings (self-contained dwellings, the habitable area of which does not comprise more than 80 sq. m.) ; the third chapter contains stipulations for buildings of the corporations referred to in §4 of the Act of 22nd December, 1910 (Text E.B. VI., p. 22, No. 9). In the case of the construction of small dwellings—completed and finished, during the years 1912-1920, by the corporations and institutions designated in the Housing Act, and according to the statutory regulations recognised as building associations of public utility—the rate for the small dwellings, and authorised working places contained in them, is still further reduced. The same reduction applies to buildings with small dwellings already commenced in 1911, with the assistance of credit granted by the Housing Fund. Workmen's dwellings commenced after 31st December, 1911, which already enjoy the advantages of the Act of 8th July, 1902 (Text G.B. I., p. 399, No. 1), are granted, notwithstanding the 24 years' exemption from taxes, the reduced rates of taxes after the expiration of the said period. The fourth chapter contains stipulations concerning extra taxes.

The second Act of 28th December, 1911 (Title E.B. VII., p. 22, No. 5), refers to remission of taxes and fees for building societies of public utility. These building societies are entirely exempt from income tax if their nett income does not exceed 1,200 kronen. The conveyance to such societies of

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ground plots, not yet built upon, for the purpose of erecting small dwellings, is subject to only half the conveyance fee in accordance with the Act of 18th June, 1901 (R.G.Bl. No. 74) if the Housing Fund grants credits. If on such a property, a building containing small dwellings is erected and is transferred by the building society to a member, as his own house, a reduction of the legal conveyance fee is also made.

By the third Act (Title E.B. VII., p. 22, No. 6) an extraordinary contribution of 2,000,000 kronen is granted to the Housing Fund out of State funds for the years 1911 and 1912. For the purpose of advances at interest, determinable by notice, to building societies of public utility to which a credit has been assured on the part of the Housing Fund, a Government subsidy of 2,000,000 kronen, distributed over the years 1912-1915, is further granted, and detailed rules for the use of this sum are to be issued by Order. Such advances can be granted only by way of exception if a building society is compelled to erect a building for the benefit of its members, in order to remove the lack of housing accommodation existing in a certain place, and if its own means are not sufficient to commence building operations.

A number of administrative regulations, the titles of which were printed in E.B. VII., p. 349, and which have been reproduced wholly or by extracts in the *Soziale Rundschau* (1912, II. 25, 82), have been issued in connection with the above Acts. To these must be added the Order of the Ministry of Finance issued in agreement with the Ministry for Public Works, dated 12th July, 1912 (R.G.Bl. No. 163, *Soziale Rundschau* 1912, II., 464), respecting the administration of the Act of 28th December, 1911 (R.G.Bl. No. 243; Title E.B. VII., p. 22, No. 5), with respect to remission of taxes and fees for building societies of public utility.

Further legislative enactments issued in Austria with respect to housing are the Building Act of 26th April, 1912 (R.G.Bl. No. 86, *Soziale Rundschau* 1912, II., 177) and the administrative regulations in connection with the same, dated 3rd June, 1912 (R.G.Bl. No. 112, *Soziale Rundschau* 1912, II., 198) and 11th June, 1912 (R.G.Bl. No. 114, *Soziale Rundschau* 1912, II., 201), and also the Decree of the Ministry of Justice of 11th June, 1912 (*Verordnungsblatt des Justizministeriums* No. 28).

**FRANCE.** A Circular of the Minister of Agriculture, dated 15th June, 1910 (Title E.B. VII., p. 363, No. 4) deals with the application of the Act of 12th July, 1909 (Title E.B. IV., p. 302, No. 24), respecting family property exempt from seizure.

§§3 and 4 of the Financial Act, dated 13th July, 1911 (Text E.B. VII., p. 373, No. 45), modify certain provisions of the Act of 12th April, 1906 (Text E.B. I., p. 442, No. 2), amending and supplementing the Act of 30th November, 1894, respecting cheap dwellings. According to §5 of the said Act, the advantages granted by law apply to houses intended for tenement dwellings if the actual rental value of each tenement does not, at the time when the houses are built, exceed the amount to be fixed every five years for each Commune by a Committee, the amount fixed by the Committee must not exceed certain maximum rates separately enumerated in the Act, nor may it fall below such amount by more than one-quarter. The amending Act removes the fixing of the rental value by communal Committees and simply stipulates that the advantages granted by law shall only apply if the actual rental value of every tenement does not exceed the legal maximum.



The Minister of Labour announced, by an Order of 12th January, 1911 (Title E.B. VII., p. 367, No. 27), a competition in connection with social improvement, in which certain provident organisations, and especially those occupying themselves with the provision of cheap dwellings, are invited to take part.

**GREAT BRITAIN & IRELAND.** An Act dated 18th August, 1911 (Title E.B. VII., p. 307, No. 6) amending the law relating to labourers in Ireland [Labourers (Ireland) Acts, 1883-1906] contains provisions respecting the use of certain funds and the removal of unsuitable dwelling houses.

**SOUTH AUSTRALIA.** By an Act dated 7th December, 1910 (Title E.B. VII., p. 348, No. 7), the Government is authorised to make advances to persons of limited means to provide homes for themselves. Similar Acts in New Zealand [the Workers' Dwellings Act, 1905, with subsequent amendments consolidated as "The Workers' Dwellings Act, 1908" (No. 208 of 1908), Title E.B. V., p. 282, No. 16] and in Queensland (the Workers' Dwellings Act of 1909, amended by an Act of 1912), served as a model for the above Act. Under the title "The Advances for Homes Fund" it is intended to create a fund administered by a committee of trustees of the South Australian Government Bank, to which a Government contribution not exceeding £100,000 is to be assigned annually. The Committee may make advances to applicants whose annual income does not exceed £300, for the provision or enlargement of dwelling houses, the purchase of houses and land for dwelling purposes and the redemption of mortgages. The advance must not exceed four-fifths of the value of the property purchased or £500 altogether.

## 2.5. Administration.

**BELGIUM.** An Act dated 5th March, 1912 (Title E.B. VII., p. 361, No. 18), extends until April, 1913, the term of office of the members of the Industrial and Labour Councils whose mandates terminated in April, 1912.

**FRANCE.** By the Act dated 12th March, 1910 (Text E.B. V., p. 376, No. 7), the miners' delegates are entrusted with the duty of notifying any infringements of the Acts of 2nd November, 1892; 30th March, 1900; and 29th June, 1905 (Text F.B. IV., p. 221, No. 2) and of §11 of the Act of 13th July, 1906 (Text E.B. I., p. 185), respecting the weekly day of rest, which may come to their notice on their visits of inspection. A Ministerial Circular, dated 20th May, 1911 (Title E.B. VII., p. 369, No. 39), explains this function of the miners' delegates.

By Order of the Minister of Labour, dated 22nd June, 1911 (Title E.B. VII., p. 372, No. 42), a permanent commission for the study of questions relating to measures of precaution against industrial unemployment, has been created in the Department for General Statistics (Statistique générale de la France).

The composition of the Board of State Railways, consisting of 21 members, is regulated by §56 of the Financial Act dated 13th July, 1911 (Text E.B., VII., p. 374, No. 47); four of the members are to be selected from amongst the staff, seven from amongst the Chambers of Commerce and Agricultural Societies, and the remaining members from amongst the members of the State Council, and certain branches of the administration.

### CIII.

**GERMANY. Baden.** A Ministerial Order of 27th April, 1910 (Title E.B. VII., p. 201, No. 2), regulates the inspection of boilers and repeals the corresponding Order of 24th October, 1891.

The Ministerial Order dated 25th August, 1890, with respect to the installation and working of quarries (*Gesetz- und Verordnungsblatt* 1890, p. 527) enumerates as inspecting authorities the "Wasser- und Strassenbauinspektion" (officers for the inspection of water supply and street construction) and the "technische Behörde" (technical authority). According to an Order dated 12th December, 1910 (Title E.B. VII., p. 201, No. 3), the factory inspectors are now entrusted with the functions of these authorities. §158 of the administrative regulations in pursuance of the Industrial Code is also correspondingly amended in the form published on 31st December, 1909 (*Gesetzes- und Verordnungsblatt* 1910, p. 5).

**Brunswick.** By an Order dated 24th February, 1910 (Title E.B. VII., p. 203, No. 1), revoking the Order No. 17 of 14th April, 1894, the industrial inspection referred to in §139b of the Industrial Code, is entrusted to the Ducal Industrial Inspectors in Brunswick, in addition to the ordinary police authorities.

**Hamburg.** The Mining Act dated 3rd July, 1911 (Title E.B. VII. p. 207, No. 1), contains in Chapter VIII., some stipulations with respect to mining inspectors. The inspecting authority for mines, consisting of eight members, is authorised to adopt for the purpose of enforcing the regulations made by it in the interests of public safety, of public traffic, and of the workers, the measures referred to in §19 of the Act with respect to the relations between the administration and the legal authorities.

**Prussia.** A Ministerial Decree dated 19th July, 1911 (Title E.B. VII. p. 186, No. 2), has reference to the acceleration of the procedure when approving industrial undertakings. Verbal discussions previous to and during the procedure are to be encouraged as much as possible. With respect to the conditions necessary in the workers' interest, it is recommended that these should be drawn up, as far as possible, in agreement with the regulations of trade associations concerning the prevention of accidents.

**GREECE.** The Act No. 3724 of 28th April/11th May, 1910, respecting the establishment of the Ministry of National Economy (originally the Ministry of Agriculture, Commerce and Industry), contemplated in §6 the establishment of a Labour Office, which was to be subject to the commercial department. The Government Bill introduced in Parliament on 14th/27th June, 1911, had the object of organising an office of this kind in detail, and of establishing at the same time a Superior Labour Council. The Parliamentary Commission (Mano's report, dated 28th June/11th July, 1911) proposed to make this office into an independent department. This proposal was adopted by Parliament. The Act, published on 12th/25th November, 1911 (Text E.B. VII., p. 280) defines the sphere of the new Department of Labour and Social Questions, which consists of a Departmental Chief, a Ministerial Secretary, and two clerks, and has the duties of investigating labour conditions; intervening in trade disputes with a view to prevention or conciliation; instituting comparative investigations into conditions of labour in Greece and abroad; preparing Bills for improving the hygienic and economic conditions of the workers; and supervising the administration of labour legislation and the work of mutual societies, trade unions, insurance societies and guilds of employers and workmen, and also other provident institutions. The Superior Labour

Council consists of members of the Chamber, representatives of the administrative bodies, of scientific institutions, and of associations of interested parties. and has to be consulted in all matters concerning labour conditions, and on Bills for the regulation of labour and their application.

**ITALY.** A Decree of 24th February, 1910 (Title E.B. VII., p. 27, No. 1), provides that the General Director of the Merchant Service in the Ministry of Marine shall be *ex officio* a member of the Provident and Social Insurance Council, which was organised by the Decrees of 19th January, 1905, and 20th January, 1910 (E.B. V., Title, p. 302, No. 6; Introduction, p. LXVIII).

**NETHERLANDS.** A Decree dated 18th July, 1911 (Title E.B. VII., p. 37), which repeals the Decree of 10th August, 1909 (Title E.B. V., p. 137), modifies, to a certain extent, the composition of the IIIrd and IVth inspectorial districts.

By a Decree dated 2nd October, 1911 (E.B. VII., p. 38) some of the provisions of the Decree of 10th August, 1909 (Text E.B. V., p. 137), respecting the official districts and the duties of labour inspectors, were amended. A new office is created, namely, that of a medical officer for labour inspection, who is to co-operate with the medical adviser in his official work.

**SOUTH AUSTRALIA.** Regulations were issued for the administration of the Scaffolding Inspection Acts of 21st December, 1907 (Title E.B. III., p. 178, No. 1) and 11th November, 1908 (Title E.B. V., p. 258, No. 1), on 29th September, 1909 (Title E.B. VII., p. 348, No. 5), and on 16th February, 1911 (Title E.B. VII., p. 348, No. 9).

**SPAIN.** In order to relieve the corps of mining engineers (*Cuerpo de Ingenieros de Minas*) entrusted with the work of inspection, a Decree dated 16th December, 1910 (Text E.B. VII., p. 396, No. 1), reorganises the inspection of mines. A special service of mining police is created for 10 districts, the members of which are appointed by the Minister of Public Works, and which is to devote itself exclusively to the inspection of mines and to the compilation of mining statistics. The available credits did not allow of a further extension of the service of mining police; but even to the limited extent of 10 districts, the stricter mining inspection affects 87 per cent. of all the workers in mines.

**RUSSIA.** By an Order dated 3rd/16th July, 1909 (Text E.B. VII., p. 395, No. 1), §65 of the instructions to factory inspectors and §44 of the instructions to mining inspectors are amended. According to the new provisions, the inspectors must draw up official reports when establishing contraventions; if the contravention is, however, proved to be due to a misinterpretation of the law, the inspectors must explain matters to the contravening party and make a corresponding note in the inspection book.

[See also :—2.00, German Empire, Netherlands, New South Wales, Saskatchewan, Victoria; 2.01, Baden, Greece; 2.02, France; 2.03, Netherlands; 2.04, German Empire; 2.11, Spain, Victoria; 2.13, Bavaria; 2.192, United Kingdom; 2.194, Malta; 4.0, Belgium; 4.3, France.]

## 2.6. Investigations.

**NORWAY.** The Government has set aside in the Budget for 1912-13 a certain amount for the work of a Committee which is to investigate the question of homework; this is a result of the Home Work Exhibition held in Christiania in 1911 (*Soziale Praxis* XXI., 527).

### 3. International Workmen's Insurance

*GERMAN EMPIRE AND SWEDEN.* Treaty of Commerce and Navigation, dated 2nd May, 1911. (No. 3915 Reichs-Gesetzblatt 1911, No. 38, p. 275.)

The Treaty of Commerce and Navigation, concluded between the German Empire and Sweden on 2nd May, 1911, contains the following (§2) :—

"The contracting parties undertake to examine by amicable arrangement the question of the treatment of Swedish workers in Germany and German workers in Sweden in respect of Workmen's Insurance, with the object of securing to the workmen of either country, in the other, by means of agreements adapted to that end, treatment which gives them as far as possible equal advantages.

Such arrangements shall be made by special agreement, and quite apart from the coming into force of the present treaty."

*SWEDEN AND DENMARK.* In this connection we publish the following agreement between the "General Association of Sick Funds of Sweden" ("Sveriges Allmänna Sjukkasessförbund") and the "United Danish Central Associations of Sick Funds" ("De samverkande danske central-föreningar af sjukkassor"), which is to remain in force until such time as either party shall give one year's notice to the contrary from 1st January :

1. In the sick funds belonging to the two above-named chief organisations, which enter voluntarily into the arrangement, members of Swedish sick funds may, under the conditions specified in §§1, 2 and 3, transfer their residence to Denmark, and, conversely, members of Danish sick funds may transfer their residence to Sweden in such manner that they may be received directly into the sick funds as members eligible for benefits without entrance fee, without regard to age or state of health, and without any waiting period, with respect to the ordinary benefits of the funds.

2. The conditions in connection with such transference are the following :—

(a) That the person changing residence was healthy according to the proofs furnished at the time of entering the former sick fund ;

(b) That he was a member of one of the sick funds coming under the scope of this arrangement for the two months immediately preceding, and that he had paid his contributions up to the day of his removal ;

(c) That he is giving up his residence in his former place of abode, and is settling down within the district of the new sick fund ;

(d) That he brings with him a transfer-book or transfer-certificate from the sick fund which he is leaving, drawn up according to the form fixed by the arrangement between the two above-named chief organisations, and which shall prove amongst other things that the person in question had been a member of the sick fund until that date, and is not in debt as against the latter ; moreover, the book (certificate) shall contain a copy of the sick list of the fund, showing for how long a period the member has enjoyed sick benefit during the current year and the two years immediately preceding ;

(e) That the person changing residence shall hand over the transfer-book (certificate) to the sick fund in question within eight days of his arrival.

3. For members who are received into the sick fund in question after the 1st December, 1911, there is the further condition for transference, viz. : that the person changing his residence shall have been received into the former sick fund before the completion of his 40th year.

4. The following regulations shall also apply respecting the transfer :—

(a) The sick fund, from which the transfer mentioned in this agreement has been made, shall be freed from all obligations as against its former member ;

(b) If the legislation respecting sick funds of the country to which the person in question is transferred prescribes certain conditions as to membership, or as to the right to claim a certain kind of sick pay, which does not exist in the other country, then the person changing residence must submit to the regulations of the first country ;

(c) The removal shall also entail the right or obligation respectively to insure in given cases for burial money ;

(d) The removal shall be considered as having taken place only *pro forma*, and therefore as being invalid, if the person in question only removes with the intention to consult a doctor or to obtain admittance to a hospital, clinic, or other institution for the sick.

5. Every year each of the two chief organisations shall, before the end of January, prepare a register of the sick funds belonging to the organisation which have entered into the agreement. Within the said period, this register shall be sent to the chief organisation of the other country, which shall immediately publish it and communicate it to the sick funds participating in the arrangement in such manner as it may decide.

6. Any differences arising between Swedish and Danish sick funds respecting transfers shall be decided upon by the chief organisations of both countries. The decision shall be binding on both. Should the parties be unable to arrive at an agreement, the Sick Funds Inspector of the country to which the transference has been made shall be competent to make the decision.

7. This arrangement, together with later amendments of the same, shall be approved, in order to be valid, by the supreme sick funds authorities of both countries.

The above Agreement shall come into force on 1st January, 1912.

[See also :—4.2 France, United Kingdom, Hungary.]

## 4. National Workmen's Insurance

### 4.0. SICKNESS INSURANCE.

**GERMAN EMPIRE.** The following administrative regulations\* in pursuance of the German Imperial Insurance Code (Title and editions, E.B. VI., p. 231, No. 1) have been issued :—

Notification respecting the procedure of engaging and dismissing workers and officials of sick funds, as well as disputes arising out of their working conditions. Dated 1st August, 1911. (Title E.B. VII., p. 5, No. 1.)

Notification respecting the further period of office of the temporary members of the State Insurance Office from the ranks of employers and insured persons. Dated, 2nd August, 1911. (Zentralblatt für das Deutsche Reich 1911, p. 444.)

Notification respecting the form of receipt-cards for invalidity insurance and the insurance of dependants, and the cancelling and destruction of contribution stamps and supplementary stamps. Dated 10th November, 1911. (Reichs-Gesetzblatt 1911, No. 58, p. 937.)

Notification respecting the further period of office of representatives of employers and insured persons in the Insurance institutions. Dated 25th November, 1911. (Zentralblatt für das Deutsche Reich 1911, p. 725.)

Notification in regard to the procedure before the Imperial Supervisory Board for private insurance in cases where §1321, paragraph 3, sentence 2, of the Imperial Insurance Code, is applicable. Dated 20th December, 1911. (Title E.B. VII., p. 16, No. 7.)

Notification respecting the temporary regulations in regard to invalidity insurance and the insurance of dependants in accordance with the Imperial Insurance Code. Dated 21st December, 1911. (Title E.B. VII., p. 16, No. 8.)

Notification in regard to temporary regulations in pursuance of the Imperial Insurance Code. Dated 22nd December, 1911. (Title E.B. VII., p. 16, No. 9.)

Notification in regard to temporary regulations in pursuance of the Imperial Insurance Code. Dated 23rd December, 1911. (Title E.B. VII., p. 16, No. 10.)

Order in regard to the management and procedure of the Imperial Insurance Office. Dated 24th December, 1911. (Title E.B. VII., p. 17, No. 12.)

Order in regard to the fees of solicitors in proceedings before the Insurance Authorities. Dated 24th December, 1911. (Title E.B. VII., p. 17, No. 13.)

Order in regard to the management and procedure of the Superior Insurance Offices. Dated 24th December, 1911. (Title E.B. VII., p. 17, No. 14.)

Order in regard to the management and procedure of Insurance Offices. Dated 24th December, 1911. (Title E.B. VII., p. 18, No. 15.)

\* See the separate reprints of German Imperial Acts, Administrative Orders respecting the Imperial Insurance Code. Edited by Geh. Justizrat Prof. Dr. Karl Gareis. (Published by Emil Roth, Giessen, 1912, M.1.)

## CVII.

Notification in regard to the official publication of fundamental decisions by the Imperial Insurance Office. Dated 30th December, 1911. (Title E.B. VII., p. 18, No. 16.)

Notification respecting the administration of §1419, paragraphs (2) and (5) of the Imperial Insurance Code. Dated 8th January, 1912. (Zentralblatt für das Deutsche Reich 1912, p. 8.)

Notification relating to the method adopted for engaging, giving notice, and dismissing employees and officials of sick funds, and in the case of disputes arising out of their service conditions. Dated 12th January, 1912. (Title E.B. VII., p. 183, No. 1.)

Notification relating to the invalidity and survivors' insurance of German employees of foreign States, and of such persons as are not subject to the jurisdiction of the German Courts. Dated 6th March, 1912. (Text E.B. VII., p. 183, No. 2.)

Notification relating to the collection of contributions for the invalidity and survivors' insurance of German subjects who are employed abroad by an official agency of the Empire or a Federal State or by the directors or members of the same. Dated 6th March, 1912. (Text E.B. VII., p. 182, No. 3.)

Notification concerning the procedure when engaging, giving notice to, and dismissing employees and officials of sick funds, as well as in cases of disputes arising out of their employment. Dated 20th May, 1912. (Title E.B. VII., p. 298, No. 3.)

The following regulations have been issued by the Federal States in pursuance of the Imperial Insurance Code:—

*PRUSSIA.* Notification in regard to the carrying out of the Imperial Insurance Code. Dated 7th December, 1911 (Title E.B. VII., p. 186, No. 7); *BAVARIA*: Royal Decree relating to the Provincial Insurance Office and the Insurance Institutes. Dated 29th December 1911 (Title E.B. VII., p. 199, No. 3); Notification in regard to the execution of the Imperial Insurance Code and the Introductory Act promulgated in connection therewith. Dated 29th December, 1911 (Title E.B. VII., p. 199, No. 4); *WURTEMBERG*: Order of the Ministry of the Interior relating to the execution of the Fourth Book of the Imperial Insurance Code. Dated 13th December, 1911 (Title E.B. VII., p. 201); *BADEN*: Notification relating to the introduction of the Imperial Insurance Code with respect to the provisional appointment of the insurance authorities. Dated 16th December, 1911 (Title E.B. VII., p. 201, No. 4); Notification relating to the Statutes of the Provincial Insurance Institute of Baden. Dated 18th December, 1911 (Title E.B. VII., p. 201, No. 5); *HESSE*: Order relating to the carrying out of the Imperial Insurance Code. Dated 16th December, 1911 (Title E.B. VII., p. 202, No. 4); Order relating to the carrying out of the Fourth Book of the Imperial Insurance Code. Dated 16th December, 1911 (Title E.B. VII., p. 203, No. 5); Notification relating to the carrying out of the Fourth Book of the Imperial Insurance Code. Dated 21st December, 1911 (Title E.B. VII., p. 203, No. 6); Notification relating to the provisional appointment of the Insurance Authorities. Dated 27th December, 1911 (Title E.B. VII., p. 203, No. 7); *BREMEN*: Order of the Senate for carrying out §7 of the Introductory Law to the Imperial Insurance Code. Dated 30th November, 1911 (Title E.B. VII., p. 208, No. 7); Order relating to the method of contribution in accordance with the Fourth Book of the Imperial Insurance Code (Invalidity and survivors' insurance). Dated 14th December, 1911 (Title E.B. VII., p. 208, No. 8); Order relating to the supervisory powers of the Provincial Insurance Institutes of the Hanse Towns with respect to the paying-in offices. Dated 14th December, 1911 (Title E.B. VII., p. 208, No. 9); Order of the Chief Police Administration for carrying out §5, paragraph 2, of the Order of the Senate relating to the method of contributing in accordance with the Fourth Book of the Imperial Insurance Code (invalidity and survivors' insurance). Dated 14th December, 1911 (Title E.B. VII., p. 208, No. 10); Order relating to the competency of the authorities in accordance with the Imperial Insurance Code. Dated 31st December, 1911 (Title E.B. VII., p. 209, No. 11).

*Act concerning the repeal of the Friendly Societies Act of 20th December, 1911* (Text E.B. VII., p. 13, No. 6). For the purpose of removing the many abuses which had occurred in friendly societies (such as excessive cost of administration, cavilling manner of dealing with and refusing the payment of claims for sick pay and such like; abuses in advertising, etc.) an attempt had already been made in 1905 (Bill No. 29, II. Session, 1905-6) to repeal the existing Act respecting registered friendly societies of 7th April, 1876, to 1st June, 1884 (Reichsgesetzblatt, 1876, p. 125, 1884, p. 54) and to bring the registered friendly societies under the operation of the regulations of the Act concerning private insurance undertakings, dated 12th May,

1901 ("Versicherungsaufsichtsgesetz," Reichsgesetzblatt 1901, p. 139). This Bill failed to pass, after having been discussed by Commission XIII. of the Reichstag (Drucksachen No. 489). The same thing occurred with a second Bill in the Session of 1907 (No. 401). A new Bill submitted to the Reichstag on 28th January, 1911 (No. 683) aimed at the same object, but its operation was more circumscribed than that of the earlier Bills, which also regulated the relations of registered friendly societies to the system of workmen's insurance established by imperial legislation, and in particular to the sickness insurance, a matter which was dealt with by the Imperial Insurance Code (§528 *et seq.*). The Reichstag postponed the discussion of the Bill in May, 1911. In the autumn of 1911 the essential parts of the Bill were passed against the votes of the Social Democrats, who were in favour of an amended Act for the removal of the existing abuses while maintaining the Friendly Societies Act and the powers of self-administration of the friendly societies.

The new Act provides, first of all, for the repeal of the Friendly Societies Act, and the placing of the friendly societies under the Act of 12th May, 1901 (§§1 and 2). The provisions of the law relating to registered friendly societies is to apply in future to Mutual Sickness Insurance Societies (§3). In so far as the payments of these societies remain within the limits of the payments permitted or prescribed for sick funds (§532, with §193 RVO) they are to be regarded (§6) as "minor societies" (§53 of the Act of 12th May, 1901). Existing friendly societies do not require permission under the Act of 12th May, 1901, for the carrying on of their business within the limits hitherto allowed by the fact of their having been approved (§9).

The importance of this change in the legal position is to be found chiefly in the fact that, according to the Friendly Societies Act, approval of a certain fund can only be refused if its rules do not satisfy the requirements of that Act. On the other hand, the Mutual Sickness Insurance Societies, in order to carry on their business and be recognised as competent, will require permission which will have to be refused, *inter alia*, in cases in which the interests of the insured are not sufficiently safeguarded or the permanent satisfaction of claims for sick pay not sufficiently proved, or in which certain facts justify the assumption that business is not carried on in accordance with the law or morality (*gute Sitten*) (§§4, 7, 15, Act of 12th May, 1901). Accordingly, the inspection authority will have, in future, to supervise also the whole conduct of affairs, and may even issue orders for removing any abuses liable to endanger the interests of the insured or by which the conduct of the business may become contrary to morality (§§64 to 69). Rules have been laid down, however, for the procedure in connection with the granting or withdrawal of the permission, as well as for all important decisions of the inspection authorities, which provide all possible legal guarantees that the matter will be judged on its merits (§§73, 74, 84). As "minor societies," in contradistinction to the large societies, the Mutual Sickness Insurance Societies will enjoy a number of concessions by virtue of the Act (§53), whilst certain other facilities may be granted to them, according to the discretion of the inspection authority (§124). The above holds good also with regard to the "registered" friendly societies; it is to be left to the Governments of the States to make friendly societies established in virtue of the law of a State subject to the Act of 12th May, 1901.

The points in which the Act differs from or supplements the Bill are the following:—As regards the present insurance societies, religious or political convictions, and activity outside their official duties, and the exercise of the right of

association, as long as no infringement of the law takes place, is not to be regarded as a reason for refusing permission to carry on business, nor as endangering the interests of the insured, nor as a conduct of business contrary to morality, within the meaning of the Act respecting private insurance undertakings (§4). Insurance societies, whose payments remain within the limits of §508 of the Imperial Insurance Code, are to be recognised in any case as minor societies within the meaning of §53 of the Act respecting private insurance undertakings, if they do not grant any death benefit, or if such benefit does not exceed 300 marks (§6). For convening the general meeting of such societies and for arranging the date of the election of representatives of the insured persons, certain periods (four weeks) are fixed, and the representatives elected are allowed, in accordance with the more detailed stipulations of the rules of the society, the reimbursement of their travelling expenses within the territory of the Empire, other expenses and loss of wages. Moreover, the prohibition of taking legal proceedings for the recovery of benefits by members of the societies is declared inadmissible, and regulations concerning arbitration in connection with such claims are declared valid only on condition that the arbitration shall not be binding on the member, unless he fails to take legal proceedings within one month from the announcement of the award (§5). The amount to be placed every year to the credit of the reserve fund until this attains the prescribed total has been reduced to a minimum of one-twentieth (instead of the one-tenth in the Bill) of the annual amount of the members' subscriptions (§6). In §10, as a necessary consequence of the Act itself, the corresponding provisions of the Act respecting insurance agreements of 30th May, 1908 (R.G.Bl., p. 263), and of its Introductory Act, are declared applicable. Finally, in order to provide against abuses, §11 subordinates the decisions of the registered friendly societies, in connection with their dissolution and amalgamation with other undertakings, to the approval of those authorities which would be competent if the registered friendly societies came under the Act respecting private insurance undertakings. In order to secure the attainment of its object, this regulation came into force at once and simultaneously with the publication of the Act, whilst the date of the coming into force of the rest of the Act is to be fixed by an imperial Decree with the consent of the Federal Council, and according to the preamble to the Bill, is intended to be the same as that for the provisions of the Imperial Insurance Code respecting sickness insurance.

A Decree dated 13th May, 1912. (Text E.B. VII., p. 295, No. 1) fixes the date of the coming into force of the Act as 1st June, 1912.

*GREAT BRITAIN AND IRELAND. National Insurance Act of 16th December, 1911.* (An official Edition is published at 6d. by Wyman & Sons, Fetter Lane, London.)

INTRODUCTION. The Insurance Bill was introduced into the House of Commons by the Chancellor of the Exchequer (Mr. Lloyd George) on 4th May, 1911.\* It was one of the most complicated measures ever discussed in the British Parliament, but, forced through with the aid of the closure, it received the Royal Assent on 11th December, 1911, and came into force on

\* Copy of memorandum explanatory of the Bill (Treasury Chambers, 8th May, 1911; London: Wyman & Sons).—See also report of the Actuaries in relation to the scheme of Insurance against Sickness, Disablement, etc., embodied in the National Insurance Bill, 1911 (London, 1911: Wyman & Sons).—Copy of Memorandum on Sickness and Invalidity Insurance in Germany (London, 1911: Wyman & Sons).



15th July, 1912. The Act is entitled "An Act to provide for insurance against loss of health, and for the prevention and cure of sickness and for insurance against unemployment, and for purposes incidental thereto." The Act affects about 14 million people,\* and it was estimated that the cost for 1912-13 would be about £6,000,000 and in 1913-14 about £15,000,000. It is now certain that the cost will be considerably more, and already £1,800,000 has been asked for and voted. The Bill had occupied the attention of officials for two and a half years before its introduction in the House of Commons, but during its passage it was drastically amended, especially as regards married women, the administration of medical benefit, and the position of the deposit contributors. Its two main principles are compulsory insurance and contributory insurance, the payments being divided between the worker, the employer and the State. The Bill was heartily welcomed by all parties at its introduction. Subsequently, however, it met with severe criticism, and, finally, at the third reading, the Opposition entered a strong protest against what they considered the inadequacy of its discussion and refused, with two or three exceptions, to vote. The third reading was carried by 344 votes against 21.

The following summary of the arrangement of the clauses gives some idea of the Act :—

### PART I.

#### NATIONAL HEALTH INSURANCE.

##### *Insured Persons.*

1. Insured persons.
2. Exemptions.

##### *Contributions.*

3. Contributions by insured persons, employers and the Treasury.
4. Rates and rules for contributions by employed contributors and their employers.
5. Rates and rules for contributions by voluntary contributors.
6. Change from voluntary rate to employed rate and *vice versa*.
7. Power to make regulations for the payment of contributions.

##### *Benefits.*

8. Benefits.
9. Reduced rates of benefit in certain cases.
10. Reduced rates of benefits where contributions are in arrear.
11. Provisions in the case of contributors entitled to compensation for damages.
12. Provisions in the case of contributors who are inmates of hospitals, etc.
13. Power to vary benefits in certain cases.

\* The number of persons covered by the Bill was estimated by Mr. Lloyd George on 4th May, 1911 (Parliamentary Debates, 1911, H.C., Vol. 25, col. 627), as follows :—

		<i>Men.</i>		<i>Women.</i>		<i>Total.</i>
Compulsorily Insured	..	9,200,000	..	3,900,000	..	13,100,000
Voluntarily Insured	.. ..	600,000	..	200,000	..	800,000
		<i>Boys.</i>		<i>Girls.</i>		
Young Persons	.. ..	500,000	..	300,000	..	800,000
				<i>Total</i>	..	14,700,000

(i.e., 33 per cent. of the total population.)

The Act (§1) excludes young persons under 16 (i.e., 800,000).

*Administration of Benefits.*

14. Benefits to be administered by approved societies or the Insurance Committee.
15. Administration of medical benefit.
16. Administration of sanatorium benefit.
17. Power to extend sanatorium benefit to dependants.
18. Administration of maternity benefit.
19. Punishment of husband in certain cases of neglect.
20. Re-insurance for the purposes of maternity benefit.
21. Power to subscribe to hospitals, etc.
22. Power of councils of boroughs and districts to contribute to certain expenditure on medical and sanatorium benefits.

*Approved Societies.*

23. Conditions for the approval of approved societies.
24. Power of societies to undertake business under Part I.
25. Special provisions for employers' provident funds, etc.
26. Security to be given by approved societies.
28. Secessions, etc.
29. Withdrawal of approval.

*Membership of Approved Societies and Transfer of Members.*

30. Admission of insured persons to membership in approved societies.
31. Transfer from one approved society to another.
32. Transfers to foreign and colonial societies.
33. Transfer values of emigrants who remain members of approved societies.
34. Prohibition against double insurance.

*Accounts : Valuations : Surplus and Deficit.*

35. Approved societies to keep proper accounts.
36. Valuations of approved societies.
37. Surplus.
38. Deficit.
39. Pooling arrangements in the case of small societies.
40. Special provisions with regard to societies with branches.
41. Power to separate men's and women's funds.

*Deposit Insurance.*

42. Provisions as to deposit contributors.
43. Transfer from approved society to deposit insurance and *vice versa*.

*Provisions as to Special Classes of Insured Persons.*

44. Special provisions with respect to married women.
45. Special provisions as to aliens.
46. Special provisions with regard to persons in the Naval and Military Service of the Crown.
47. Special provisions where employer is liable to pay wages during sickness.
48. Special provisions as to the Mercantile Marine.
49. Provisions as to persons over 65 at commencement of Act.
50. Special provisions as to seasonal trades.
51. Special provisions as to inmates of charitable homes, etc.
52. Special provision as to persons becoming certificated teachers.
53. Application to other persons in the service of the Crown.

## CXII.

### *Financial Provisions.*

- 54. National Health Insurance Fund.
- 55. Reserve values.
- 56. Transactions between the Insurance Commissioners and societies.

### *Insurance Commissioners : Advisory Committee.*

- 57. Constitution of Insurance Commissioners, appointment of inspectors, etc.
- 58. Appointment of Advisory Committee.

### *Insurance Committees.*

- 59. Appointment of Insurance Committees.
- 60. Powers and duties of Insurance Committees.
- 61. Income.
- 62. Local Medical Committees.

### *Excessive Sickness.*

- 63. Inquiries into causes of excessive sickness, etc.

### *Supplementary Provisions.*

- 64. Provision of sanatoria, etc.
- 65. Power to Insurance Commissioners to make regulations, etc.
- 66. Determination of questions by Insurance Commissioners.
- 67. Disputes.
- 68. Protection against distress and execution in certain cases.
- 69. Offences.
- 70. Civil proceedings against employer for neglecting to pay contributions.
- 71. Repayment of benefits improperly paid.
- 72. Provisions as to application of existing funds of friendly societies.
- 73. Provisions as to existing employers' provident funds.
- 74. Provisions as to minors who are members of approved societies.
- 75. Power for societies to register under Friendly Societies Act, 1896.
- 76. Application of Acts of Parliament to approved societies and sections.
- 77. Powers of the Local Government Board.
- 78. Power to remove difficulties.
- 79. Interpretation.
- 80. Application to Scotland.
- 81. Application to Ireland.
- 82. Establishment of Commissioners for Wales.
- 83. Joint Committee of Commissioners.

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### UNEMPLOYMENT INSURANCE.

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- 85. Contributions by workmen, employers and the Treasury.
- 86. Statutory conditions for receipt of unemployment benefit.
- 87. Disqualifications for unemployment benefit.
- 88. Determination of claims.
- 89. Appointment of umpire, insurance officers, inspectors, etc.
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- 92. Unemployment fund.
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94. Refund of part of contributions paid by employer in the case of workmen continuously employed.
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100. Subsidiary provisions.
101. Offences and proceedings for recovery of contributions, etc.
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103. Power to extend to other trades.
104. Exclusion of subsidiary occupations.
105. Arrangements with associations of workmen in insured trade who make payments to members whilst unemployed.
106. Repayments to associations who make payments to persons, whether workmen in insured trade or not, whilst unemployed.
107. Interpretation and application.

### PART III.

#### GENERAL.

108. Provisions as to stamps.
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110. Priority of claims for contributions due by bankrupt employers.
111. Benefits to be inalienable.
112. Powers of inspectors.
113. Procedure for making special orders.
114. Provisions as to birth certificates.
115. Short title and commencement.

#### SCHEDULES.

As far as the *Health Insurance* is concerned, the Act has two objects—first, to insure the whole of the industrial population against sickness and invalidity, and secondly, to prevent sickness as far as possible. The provisions of this part of the Act created the greatest interest and controversy, while the provisions of the part relating to unemployment passed comparatively unnoticed. An interesting feature of the scheme is the attempt to grapple with sickness due to preventable causes. The Act provides that when the Insurance Commissioners or Approved Society or Insurance Committee find that there has been excessive sickness in any place, and that the excess is due to the conditions or nature of their employment, to bad housing or insanitary conditions, or to a bad water supply or to the neglect of any person or authority to enforce any Act relating to these matters, they may make a claim against the defaulting person or authority.

The provisions regarding maternity benefit for insured married women were regarded as unfair. (See §XV., *d.*) In the original scheme, unemployed married women lost all the benefits of their insurance before marriage unless, as widows, they again became employed within the meaning of the Act. It was pointed out by women's organisations that, as far as figures were available, they showed that only four to five per cent. of widows did return to employment, so that compulsory insurance for women on these terms was a

great hardship. During the autumn Session, the provisions affecting women were re-cast, and the new scheme enabled married women to participate in the benefits of the Act either by voluntary insurance or by obtaining during marriage two-thirds of the amount of their transfer value in certain benefits. The scheme for deposit contributors (see §XVIII.) was felt to be very unsatisfactory. Strictly speaking, it was not insurance at all, since no more could be drawn in benefits than stood to the credit of the individual contributor. As a compromise, its operation was limited to a period of three years, so that it will be revised in January, 1915. The Government also made amendments establishing separate Commissioners and funds for Scotland, Ireland and Wales.

There was a long controversy with the doctors in regard to the administration of medical benefit, which consists of free medical attention and medicine. The original idea was that the Approved Societies, consisting of Friendly Societies, Trade Unions, etc.—through which the administration of the Act is largely carried out—should make their own arrangements with the doctors, as they had done in the past, for attending the insured members of their societies, and that the Insurance Committees (see §XXb) should do the same for the deposit contributors. The doctors objected to being under lay control, and alleged that the friendly societies system had had very bad results in the past. The doctors also made the following demands:—

- (1) An income limit of £2 a week for those entitled to medical benefit.
- (2) Free choice of doctor by the patient, subject to the consent of the doctor to act.
- (3) Adequate medical representation among the Insurance Commissioners, the Central Advisory Committee, and on the Insurance Committees, and statutory recognition of a local medical committee, representative of the profession in the district of each Insurance Committee.

The Bill did not lay down any specific sum to be paid for medical benefit, but the finance was based on the assumption that it would cost 6s. per head, of which rs. 6d. was for drugs. The profession demanded 8s. 6d. for their services, apart from drugs, and some extras. As a result of their representations the Bill was amended and the administration of medical benefit was given over to the Insurance Committees. Doctors are represented on these Committees, but three-fifths of the members are always to be representatives of insured people. The doctors can, if they like, set up Local Medical Committees, but their powers are only advisory to the Insurance Committees.

It is the duty of these Insurance Committees (see §XXb) to make arrangements for medical benefit in their district with duly qualified practitioners. There are three possible arrangements of which the first is the normal one:

(1) The Committee arranges a "panel" of doctors who agree to attend and treat insured persons. Every qualified doctor has a right to have his name placed on the list. The patient has a right to free choice of doctor from the panel.

(2) If panels cannot, for any reason, be formed in any area, the Insurance Committee must make other arrangements. It can, with the approval of the Commissioners, either suspend the medical benefit in that district and pay to each insured person a sum equal to the estimated cost of medical benefit during that period, or it can have a salaried service of doctors, chosen either from within or without the district. The panels can be closed at any time by the Committee, if it thinks fit.

The income limit of £2 a week for all insured persons was not adopted, but each Insurance Committee has the power to fix an income limit for its own district.

The position as regards finance was finally settled thus : an extra 2s. 6d. per head was voted for medical benefit, making 8s. 6d. in all. Of this, 6s. 6d. was definitely assigned for medical remuneration, and 1s. 6d. for drugs. An extra 6d. was given from the Sanatorium Fund for domiciliary-tuberculosis treatment, and another 6d. for extra drugs if required ; if not, this sum is to be available for medical remuneration. The doctors, therefore, get from 7s. to 7s. 6d. per insured person. Nevertheless, the medical profession objected that they were still under lay control, as representatives of the doctors could only form a small minority of the Insurance Committees, and that their income limit had not been adopted. The British Medical Association announced that the doctors would not work the Act, but the Insurance Committees found it possible to fill their panels more or less satisfactorily, and now 15,000 doctors are working under the Act. Considerable opposition has still to be met in London, but this appears to be waning, as the patient's " free choice of doctor " has been explained to mean, except in very unusual circumstances, " free choice of a doctor on the panel." In many cases, therefore, doctors are faced with the alternative of joining the panel or losing their patients.

I. EXTENT OF SCHEME. The Act extends to the whole of the United Kingdom, but does not include the Isle of Man or the Channel Islands. There are arrangements for voluntary insurance, but for the most part the Act is based on compulsory insurance, which is effected by deductions from wages.

II. CONTRIBUTORS. Compulsory insurance applies (with certain exceptions) to all persons of either sex, and of any nationality, between the ages of 16 and 65, provided that they are " employed " within the meaning of the Act. An " employed contributor " is any person under contract of service, express or implied, and it makes no difference whether he is paid by the hour, day, week or the year, or by piece-work, or (except in the case of indentured apprentices) without money payment at all, so long as he does not earn more than £160 a year other than by manual labour. Manual workers are compulsorily insured whatever their wage. Cases of joint employment (such as gangers in a mine) are included ; so too are outworkers. No person under 16 is to be insured. No person over 65 and not previously insured is to be insured, except those who were 65 at the time of the passing of the Act (see XV., g).

III. EXCEPTIONS. In the first Schedule of the Act there is a list of persons employed who are not to be included in the compulsory part of the scheme. They are :—

(a) Soldiers and sailors, who are dealt with specially (see XV. f).

(b) Persons employed under the Crown or other public authority and also clerks or other salaried officials in the service of a railway company, where the Insurance Commissioners certify that the terms of the employment are such as secure provision in respect of sickness and disablement on the whole not less favourable than the benefits conferred by the Act.

(c) Pensionable elementary school teachers.

(d) Agents paid by commission or fees and usually employed by more than one employer. If the agent has only one employer, then he is compulsorily insured, even though paid by commission or fees, unless he earns more than £160 a year.

(e) Employment in respect of which no wages or other money payment is made, where the employer is the occupier of an agricultural holding upon which the person concerned is employed, or where the employed person is the child of, or is maintained by the employer. Thus children employed by their parents and receiving even a small money payment are compulsorily insured, *e.g.*, farmers' sons receiving "pocket money." There is no restriction as to the size of the agricultural holding, as was the original intention of the Bill.

(f) Persons receiving more than £160 a year from their employers by way of salary. If the labour is manual labour, the employed person is compulsorily insured whatever he earns. In the case of part-time service the Commissioners decide whether it is equivalent to a rate of £160 a year for whole-time service.

(g) Persons employed casually, unless for the purposes of trade, or by a club for recreation, such as golf-caddies. Thus a charwoman working occasionally and irregularly in a private house need not be insured, but a charwoman who cleans out offices or shops must be. Charwomen, however, who are regularly employed—*e.g.* every Monday—in a private house must be insured.

(h) Subsidiary employments, not being the principal means of livelihood—*e.g.* bellringers.

(i) Wives employed by their husbands, and husbands employed by their wives.

(j) Crews of fishing vessels sharing profits.

(k) Employment as an outworker, when the person so employed is the wife of an insured person, and is not wholly or mainly dependent for her livelihood on her earnings in such employment.

The Commissioners have power to make regulations transferring any of these classes of excepted persons to the compulsory insured classes, and they have already done so in the case of the married women outworkers (see XV. e).

IV. EXEMPTIONS. Certain employed people will be allowed to be "exempted" from deductions from their wages. They are (a) those in receipt of an income of at least £26 a year not dependent on their personal exertions; (b) those who are ordinarily and mainly dependent for their livelihood on some other person. In these cases, however, the employer must pay his contribution. (In the case of "exceptions," no contribution is payable either from employer or employed); (c) Irish migratory labourers. In this case also the employer is bound to pay his contribution; (d) inmates of charitable homes who are employed in the homes may be exempted if they receive medical attendance and maintenance in sickness. For all inmates who have been in the home more than six months, provision must be made by the managers for their re-entering into insurance on as favourable terms as when they entered the home. (Employees of charitable homes are insured in the ordinary way.)

V. VOLUNTARY CONTRIBUTORS. Certain people who are not subject to compulsory insurance may become "voluntary contributors." These are (a) those engaged in some regular independent occupation upon which they are wholly or mainly dependent for their living, such as blacksmiths, village dressmakers, etc.; (b) those who have been insured persons for five years or more.

Persons with an income of more than £160 a year may not become voluntary contributors.

## CXVII.

VI. CONTRIBUTIONS OF COMPULSORY CLASS. The rate for employed contributors is uniform :—

- For men, 4d. a week, deductible from wages ;
- For women, 3d. a week, deductible from wages ;
- For the employer, 3d. a week for both sexes.

The State's contribution is two-ninths of the benefits in the case of men, and one-fourth in the case of women—that is, the equivalent of twopence in both cases. This is not paid in the case of aliens, unless they have become naturalised or unless on May 4th, 1911, they were members of a society afterwards approved and had been resident in the United Kingdom for five years.

The contributions always remain the same, 7d. in the case of men, 6d. in the case of women ; but in certain cases they are variously apportioned between employer, employed and the State. Where the person is over the age of 21 and does not receive board and lodging, the rates are as follows :—

If the wages do not exceed 1s. 6d. a day the employer pays 6d. for men, 5d. for women ; the State pays 1d. (in addition to its usual proportion), and the employee nothing.

If the wages do not exceed 2s. a day the employer pays 5d. for men, 4d. for women ; the employee pays 1d., and the State an extra 1d.

If the wages do not exceed 2s. 6d. a day the employer pays 4d. for men, 3d. for women, the employee (whether male or female) 3d.

This sliding scale does not apply in the case of persons under the age of 21, or in the case of persons of any age receiving board and lodging. Such persons must pay the ordinary contributions, however low their wages. It was thought at the time of the passage of the Bill that the former provision would lead to the dismissal of low-paid wage-earners when they reached the age of 21, but the amendments to the clause which were put down were never reached owing to the operation of the " guillotine."

*Seasonal Trades.* The Insurance Commissioners may make orders reducing contributions during certain periods and increasing them during corresponding periods in trades which they may declare to be seasonal.

VII. CONTRIBUTIONS OF VOLUNTARY CLASS. Voluntary contributors, under the age of 45 at the commencement of the scheme, pay 7d. a week if men, 6d. if women, if they join the scheme within six months. All persons joining the scheme after six months, and persons over 45, will be required to pay rates increasing according to their ages.

VIII. TRANSFERENCE OF EMPLOYED PERSONS TO THE CLASS OF VOLUNTARY MEMBERS AND VICE VERSA. Owing to the fact that there will be a number of voluntary contributors liable to pay a higher rate than the employed rate, it was necessary to protect the funds against fraudulent misrepresentation on the part of such people posing as employed contributors ; consequently rules are made providing that all persons must furnish evidence to their Society of regular employment. If they remain in employment for five years they are allowed to remain at the same rate on becoming voluntary contributors.

On the other hand, voluntary contributors who become regularly employed persons, will pay the employed rate, but their benefits will depend also upon what their past contributions are worth.



IX. COLLECTION OF CONTRIBUTIONS. Every insured person has a contribution card which he must produce to his employer when wages are paid. The employer affixes a stamp (and cancels it by writing the date on it) in payment of his own and the workman's contributions, and deducts the amount of the latter's contribution from his wages. The employer is responsible for seeing that the card is stamped. At the end of the period for which the card is current (13 weeks) it is returned by the insured person to his society or, if a deposit contributor (see XVII.) to the post office. The Insurance Commissioners can allow other methods of collection if such would be more convenient to the employer and the employed.

X. BENEFITS.\* The benefits are not guaranteed by the State, but it is calculated that an ordinarily well-managed society can pay the following:—

(a) *Medical Benefit*.—Medical treatment for life with drugs and surgical appliances ;

\* The following Table compares the respective benefits of the British and German systems of sickness and invalidity insurance (see Manes, "Die künftige englische Sozialversicherung," Zeitschrift für Versicherungs-Wissenschaft, 1911 ; Vol. XI., pp. 606 *et seq.*). The benefits given for the German Invalidity Insurance are those received by workers who have belonged to the Insurance without interruption for 20 years, and are accordingly higher than the sums received as a general rule. In spite of this, the benefits of the German Insurance, especially in the case of small incomes, fall far behind those of the British system :—

	ENGLAND.					GERMANY.							
Weekly Income.	Contributions.			Sickness Benefit (26 weeks).		Invalidity Benefit.	Contributions (together).	Sickness Benefit (26 weeks).				Invalidity Benefit. After 20 years continuous payment of contributions.	
s.	d.	d.	s.	s.	s.	d.	s.	d.	s.	d.	s.	d.	
	M.	W.	M.	W.									
30	4	3	10	7½	5	10½	15	0	or	12	0	5	3½
27	4	3	10	7½	5	9½	13	6	or	12	0	5	3½
24	4	3	10	7½	5	9	12	0				5	3½
21	4	3	10	7½	5	7½	10	6				4	8½
20	4	3	10	7½	5	7½	10	0				4	8½
18	4	3	10	7½	5	6½	9	0				4	8½
15	3	3	10	7½	5	5½	7	6				4	1
12	1	1	10	7½	5	4½	6	0				4	1
9	—	—	10	7½	5	3½	4	6				3	5
6	—	—	10	7½	5	2½	3	0				2	8½

The Insurance gives no death benefits. Mr. Lloyd George stated, in his speech in the House of Commons on 4th May, 1911 (Parliamentary Debates, 1911, H.C., Vol. 25, col. 613), that the introduction of this class of benefit was superfluous, in view of the wide adoption of life insurance by the working classes (42 million life insurance policies, including 6 million in friendly societies, over 7 million in other associations, and over 30 million in private insurance companies).

Estimates of the respective burden of social insurance in Germany and the United Kingdom will be found in the "Bulletin des Assurances Sociales," XXIII., 74 (Ed. Fuster).

- (b) *Sanatorium Benefit*.<sup>\*</sup>—Treatment in sanatoria or elsewhere. This may be extended to an insured person's family if the Insurance Committee (see XX b.) permits ;
- (c) *Sickness Benefit* of 10s. a week (7s. 6d. for women) for 26 weeks from the fourth day of sickness ;
- (d) *Disablement Benefit* of 5s. a week from the termination of sickness benefit, for as long as disablement continues.
- (e) *Maternity Benefit* of 30s. in cash or otherwise (according to the Society's or the Insurance Committee's rules) in case of the confinement of the wife of an insured person or of a woman who is herself an insured person. A married woman who is insured or who is the wife of an insured man receives sickness benefit as well as maternity benefit during her confinement.†
- (f) *Additional Benefits*.—If the funds of the society allow it, certain special benefits such as medical treatment for dependants of insured persons, dental treatment, increased maternity benefit, pensions, convalescence allowances, payment to members not allowed to attend work on account of infection, etc.

Benefits (c) and (d) cease at the age of 70, since old age pensions are due at that age (Acts of 1st August, 1908 ; Text E.B. III., p. 158, and 18th August, 1911, Text E.B. VII., p. 303, No. 5).

XI. REDUCTION OF BENEFITS. The rates of benefit are reduced in certain cases, of which the following are the most important :—

(a) Under the age of 21 and unmarried : *Sickness Benefit*—Men 6s. a week for first 13 weeks, 5s. a week for second 13 weeks. Women 5s. a week for first 13 weeks, 4s. a week for second 13 weeks. *Disablement Benefit*—Women 4s. a week. If, however, these unmarried minors are members of an approved society (see XVI.), and prove that they have dependants, these benefits are not reduced.

(b) In the case of persons aged 17 and upwards, entering into insurance more than one year after the commencement of the Act, sickness benefit is reduced according to a prepared table, but never below 5s. a week. The reduction does not apply in the case of persons who have been in apprenticeship or at school since the age of 16.

(c) If the sickness or disablement benefits exceed two-thirds of the insured person's wages, they may be reduced, but additional benefits of equal value must be given.

<sup>\*</sup> The principal object of the Sanatorium benefit is the cure of tuberculosis. On 4th May, 1911, Mr. Lloyd George made the following statement as to the extent of this disease (Parliamentary Debates, Vol. 25, col. 626). There are 75,000 deaths every year in Great Britain and Ireland from tuberculosis, and one out of every three males dies between the ages of 14 and 55 from this disease. There are only 4,000 beds in sanatoria altogether and half of those are occupied by other patients, so that there are at present only 2,000 beds when there are four or five thousand people suffering from tubercular disease.

† §19 of the Act is noteworthy ; this Section aims at securing that the maternity benefit paid to a husband for his wife shall really be applied for her benefit, by making the husband liable to imprisonment, with or without hard labour, for a term not exceeding one month if he fails to make adequate provision to the best of his power for the care of his wife during her confinement and for four weeks afterwards.

(d) If an insured person is entitled to compensation under the Workmen's Compensation Act or otherwise, sickness, or disablement benefit will not be paid unless it is greater than the compensation, and then only the balance will be paid.

(e) When contributions are in arrears, provision is made for reduction and suspension of benefits.

XII. ARREARS. Arrears are not reckoned (1) during the first year after the Act came into operation; (2) when the insured person is in receipt of benefit. Arrears are reckoned on the average from the date of entry into insurance, and not until a person is four weeks a year *on an average* in arrears are his benefits reduced. Thus, suppose an employed contributor has been insured for four years, he may fail to pay contributions (owing to unemployment) for 15 weeks during those four years without incurring any reduction of benefit; he may fail to pay for 52 weeks and receive full benefit except sick pay, which may be reduced to an amount not less than 5s. If he is in arrears for two years out of four, all benefits will be suspended. Arrears may be paid off gradually, and there are special arrangements for the arrears of voluntary contributors.

### XIII. WAITING PERIODS.

(a) No medical benefit for six months after the commencement of the Act.

(b) No sickness benefit until 26 contributions have been paid.

(c) No disablement benefit until 104 contributions have been paid.

(d) No maternity benefit until 26 contributions have been paid (voluntary contributors 52).

The alienation of benefits is prohibited.

XIV. ADMINISTRATION OF BENEFITS. Sickness, disablement, and maternity benefits are administered by the approved societies in the case of their members, and by the local insurance committees (see XX. b.) in the case of other persons. The medical and sanatorium benefit are administered in all cases by the Insurance Committees.

The Act lays down general requirements for the administration of benefits, and the societies must make rules to see that they are carried out. Maternity benefit is administered in cash or otherwise, according to the society's rules, and it is intended to cover the cost of the doctor's or midwife's fees, and to pay for any extra comforts the woman may need.

Medical benefit is administered by the Insurance Committees, who make arrangements with qualified medical practitioners to carry out this work in accordance with regulations made by the Insurance Commissioners. The Committees draw up lists of medical practitioners in their locality. All duly qualified doctors have a right to be included in the list, and all insured persons have a right to choose their doctor from the list. (The doctor, however, has a right to refuse them as patients.) The Committee allocate those who do not select their own doctor among the doctors on the panel. Persons with an income above a certain limit may be required by the Committees to make their own arrangements, and the cost of their medical benefit may be given to them towards their medical expenses. The Insurance Committees also make arrangements for the supply of medicines and appliances (see also *Introduction*, p. CXIV.).

*Sanatorium Benefit.* The Insurance Committees make arrangements for sanatorium benefit with sanatoria and other institutions or authorities. The insured person is not entitled to this benefit unless recommended by the Committee, and treatment may be given either in an institution or at home. The money for this is derived partly from money provided by Parliament (1d. a year per insured person) and partly out of the Insurance Fund (1s. 3d. per insured person).

#### XV. SPECIAL CLASSES OF INSURED PERSONS.

(a) *Aliens.*—Aliens are included in the scheme, but they are subject to certain disadvantages. They may belong to an approved society, but no part of their benefits will be paid by the State, and therefore the rates of sickness, disablement, and maternity benefits will be reduced.

The following persons are exempt from these provisions :—

(1) Aliens who, on 4th May, 1911 (date when Bill was introduced), were members of societies afterwards becoming approved, and who at that date had been resident in the United Kingdom for five years.

(2) A woman who, having been a British subject before marriage, marries an alien, and whose husband dies, or whose marriage is dissolved or annulled, or who has, for at least two years, lived apart from her husband.

(b) *Demented Persons.* If an insured person becomes demented and is confined in a public institution, his benefits will be applied to his dependants, as the society or committee administering the benefits think fit.

(c) *Emigrants.* Benefits under the Act are only payable to persons resident in the United Kingdom. In the case of a person leaving the country and joining a similar society in a British possession or a foreign country, arrangements may be made for his transference. But, where these arrangements are not possible, emigrants lose the benefits of their contributions. This attempt to establish reciprocal treatment in insurance will grow in importance as insurance schemes are established in other parts of the world.

(d) *Married Women.* The provisions regarding married women were drastically altered and improved during the progress of the Bill. As the scheme stood originally, married women were suspended from benefit unless employed. Their surrender values were to be used to create a reserve to maintain the right of widows, if they again became employed within the meaning of the Act, to re-enter the scheme without their arrears being taken into account. There was also a provision that an employed married woman could not receive maternity benefit in respect of her husband's insurance as well as in respect of her own. This meant that the women's funds would be paying the employed married woman's maternity benefit, thereby relieving the man's society, and the woman herself would gain no advantage (see X. e.).

The provisions relating to married women are now as follows :—

(1) If employed before marriage and continuing in employment she is insured in the ordinary way.

(2) If insured before marriage, a woman is, during her married life (if unemployed), suspended from the ordinary benefits and, if she is a member of an approved society, one-third of her transfer value—i.e., of the amount representing the liability of the Society in respect of her contributions on her marriage—is carried to a separate account, known as the Married Women's Suspense Account. This creates for her the right of re-entry into

insurance when she becomes a widow on the same terms as when she married. But, though suspended from receiving ordinary benefits, married women can make considerable use of their insurance previous to marriage. Several courses are open to them :—

(i.) Married women insured before marriage can, if they wish, join the special voluntary scheme which was invented during the passage of the Bill. She pays a contribution of 3d. a week, the State gives 1d., and with this 4d. (and the remaining two-thirds of her reserve value which stands to her credit), she receives certain benefits, viz. :

1. Medical benefit ;
2. Sickness benefit of 5s. a week for the first 13 weeks, then 3s. a week while the illness lasts ;
3. Disablement benefit of 3s. a week.

Sickness and disablement benefit is not payable during the two weeks before and four weeks after a confinement, except in respect of disease not connected with the confinement.

(ii.) If a married woman does not wish to continue her insurance, the two-thirds of her transfer value will be applied as long as it lasts in paying her 5s. a week for four weeks after confinement or in payments during sickness and distress.

If a married woman deposit contributor is suspended on marriage, two-thirds of the sum credited to her in the post office will be applied in the same way. Deposit contributors cannot take advantage of the Married Women's Voluntary Scheme.

A widow who was insured before marriage as a member of an approved society, can become an ordinary voluntary contributor at the rate which would have been payable at the date of her original entry into insurance. No woman during marriage can be an ordinary voluntary contributor, as it was believed it would be so difficult to check malingerers.

A widow can, if she elects to do so within one month of her husband's death, commence or continue the special voluntary system described above.

A woman whose marriage is dissolved or who has been living apart from her husband for two years is treated as a widow.

When a married woman or widow is the inmate of an institution, her benefits may be applied for her dependants, and part of the benefit may be paid to the institution.

(e) *Outworkers* (see also III. j.).\* All outworkers (including married women outworkers, by Special Order of the Commissioners) must be insured.

The employer of outworkers can choose between two ways of paying contributions in respect of outworkers :

- (a) He may insure his outworkers precisely as he insures any other class of employed persons ;

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\* See Report of the Committee appointed to consider and advise with regard to the application of the National Insurance Act to out-workers (2 vols. ; London, 1912 : Wyman & Sons).

- (b) He may adopt the method of determining contributions by reference to the work actually done. Under this method, amounts of work called "units of work" are used instead of weeks, and contributions or half-contributions are payable for each unit or half-unit of work done. The "units" to be used for calculations of contributions will be 15s. in the case of a male worker, and 8s. 9d. in the case of a female worker, unless the Commissioners fix other units. As very small parcels of work are often given to out-workers this method was devised by the Commissioners after the Act was passed, in order to prevent wholesale concentration of work, which would have inflicted great hardship upon numbers of outworkers.

(f) *Soldiers and Sailors.* Soldiers and sailors receive the equivalent of most of the benefits of the Act as one of the conditions of service. Special arrangements are therefore made for them, the object of which is to place these men, when they re-enter civil life, in as favourable a position as if they had always been in civilian employment. There are arrangements having the same object for men of the mercantile marine.

(g) *Persons between 65 and 70 on 15th July, 1912.* The employer pays the ordinary contributions and the State 2d. per week. The insured are entitled to such benefits as their societies, or, if deposit contributors, the insurance committees, determine. No reserve value is created for such persons.

**XVI. APPROVED SOCIETIES.** The Health Insurance Scheme is to be carried out mainly through "Approved Societies," who issue and receive the cards of their insured members and administer the sickness, disablement, and maternity parts of the benefits. Any society can become an approved society if it complies with the conditions laid down by the Act and supplemented by the Commissioners. The chief of these are (1) the society must not be carried on for profit; (2) its constitution must provide for absolute control of its affairs by its members. It was the intention of the Act to carry out the system of compulsory insurance by making use, as far as possible, of the existing voluntary agencies such as friendly societies, trade unions, industrial and co-operative societies, etc. In order to do this as far as possible, rules have been made whereby an existing society may form a separate section for the purposes of the Act, and this section becomes an approved society. Employers' provident funds can become "approved" under special conditions. Small societies can group together so that their numbers reach at least 5,000, in order that financial stability may be acquired. Such societies establish a central financial committee, but otherwise retain their independence. No person may be refused admittance to a society on account of age, but otherwise a society retains control over its membership as at present. Government inspection and supervision is confined to matters of finance. All approved societies must keep their accounts in a certain way. The assets and liabilities of a society are to be periodically valued by Treasury valuers, the first taking place at the end of three years. If a society is found to have a surplus, it can prepare a scheme for additional benefits, to be submitted to the Commissioners. If the society has a deficit, benefits may be reduced and a levy made on the members with the approval of the Commissioners.

**XVII. DEPOSIT CONTRIBUTORS.** If any insured persons, for one reason or another, fail to join an approved society, they are dealt with through the post office, and are known as deposit contributors. They get their cards

from, and return them stamped to, the post office, when their contributions are credited to them. These contributions will be charged annually with seven-ninths for men and three-fourths for women of the calculated cost of management, medical, and sanatorium benefits. They are entitled to sickness or maternity benefit only up to the amount standing to their credit (which includes, of course, the State's contribution). Strictly speaking, this is not insurance at all, and therefore, on the death of deposit contributors, four-sevenths, if a man, and one-half, if a woman, of the amount standing to their credit will be payable to their representatives.

There are methods of transfer from the post office to approved societies and *vice versa*, but the whole arrangements in regard to deposit contributors were considered so unsatisfactory that they only hold good till 1st January, 1915, when they will be re-considered.

**XVIII. FINANCE OF THE ACT.** There is a central fund for each of the three Kingdoms and Wales under the management and control of the Commissioners and the Treasury, called the National Health Insurance Fund. The money received by the post offices for the sale of stamps accumulates in this fund. Certain money will be available for investment, viz. :—

(1) The proportion of the Sinking Fund set apart for the purpose of extinguishing the loss arising by including persons over the age of 16 in insurance at the same rate as those of the age of 16. The first charge upon this fund is the interest payable upon the reserve values (see XIX.) created in respect of the older members. The balance is available for investment.

(2) The balance after current expenses have been met.

These balances belong to the societies. The societies can themselves invest in trustee securities, four-sevenths in case of men, one-half in the case of women, of all money available for investment. The remaining three-sevenths or one-half, as the case may be, is retained for investment by the Commissioners. The societies have three courses open to them with regard to the moneys they may themselves invest :

(i.) They may invest the money themselves ;

(ii.) They may leave the money to the Commissioners to invest in Government securities (preference is to be given by them to certain loans for the purposes of schemes of social amelioration under the Housing of the Working Classes Acts, 1890-1909) ;

(iii.) The societies may leave the money with the Insurance Commissioners, but choose their own investments.

**XIX. RESERVE VALUES.** As societies with the greatest possible variety in age-distribution retain their independence and carry on their business in their accustomed way, arrangements had to be made to equalise the financial position of societies consisting of old or young members. All financial calculations for the purposes of insurance have been made on the assumption that members join it at the age of 16. For all the others, reserves appropriate to their age should be held. These reserves have been created in the form of a paper debt. The reserve value of any member is the capital sum which has to be provided on his first entry into insurance for any person who is entitled to benefits in excess of what his statutory contributions enable the society to pay. Every person over 16 has a reserve value which varies according to his age. The capitalised value of these reserves was estimated at over 66 million pounds. The following provision has been made for the extinction of this

debt : the Commissioners retain out of the weekly contribution  $1\frac{5}{8}$ d. in the case of a man and  $1\frac{1}{2}$ d. in the case of a woman. It is estimated that in this way the debt will be paid off in  $18\frac{1}{4}$  years, and after that time the whole of the contributions will be available for benefit purposes. The proportion which the societies surrender is the amount represented by the Government grant of two-ninths or one-fourth of the benefits, as the case may be.

The effect is that a boy of 16 gives up to the reserve values as much as he receives from the State. But for every person over 16, the society to which such person has belonged from the commencement receives a credit appropriate to his age-risk. Only when the deficit due to this inclusion of older lives has been wiped off will there be equality of treatment as between young and old.

## XX. ADMINISTRATION OF PART I. OF THE ACT :—

(a) Insurance Commissioners for each country are appointed by the Treasury. One must be a medical practitioner. There is, in fact, one woman Commissioner for each country, but this is not a statutory obligation. The Commissioners form the central authority under the Act, directing and controlling the working of the scheme. There is also a Joint Committee to co-ordinate the work of the four Boards. Very wide powers are conferred upon them by the Act, and their regulations have the force of an Act of Parliament. Their regulations are laid before both Houses of Parliament, and can only be annulled on an address being presented by either House within 21 days. Among other duties, the Commissioners “approve” the societies and constitute the Insurance Committees.

Each Commission appoints an Advisory Committee to assist in making the regulations. The Committee consists of representatives of employers, approved societies, doctors, etc. The Commissioners also appoint officials and inspectors for the enforcement of the Act.

(b) Local Administration. In every county and county borough, local Insurance Committees are formed. They consist of :—

(1) persons representing insured members of societies and deposit contributors proportionately ;

(2) persons appointed by the county council or county borough (two of these must be women) ;

(3) two doctors appointed by their colleagues ;

(4) one, two or three doctors (according to the size of the Committee) appointed by the county council or county borough ;

(5) persons appointed by the Insurance Commissioners (to include doctors and women).

For counties and large boroughs, district committees are appointed by the Insurance Committees. The powers and duties of the Insurance Committees are wide. They administer *all* benefits of deposit contributors ; they arrange and administer all medical and sanatorium benefit. They “group” small societies for purposes of finance (see XVI.). They have power of inquiry into excessive sickness (see Introduction, p. CXIII.), and they collect information and statistics of health in their area, for which purpose they obtain the assistance of medical officers of health. The income of committees is derived from payments made at the beginning of each year from societies and deposit contributors and from State grants for medical and sanatorium benefit and administration. In case their estimated expenditure for this exceeds their income, the Treasury or County Council may sanction it and pay half the excess expenditure.



**XXI. DISPUTES.** The rules of an approved society are to be the basis for the settlement of disputes, whether between the society and its members or the society and its branches. There is an appeal to the Insurance Commissioners. The Commissioners, or referees appointed by them, also decide disputes between insured persons and committees. The decision of the Commissioners is final and conclusive, and there is no appeal to a court of law. There is an appeal from the Commissioners to the Courts, however, if a person is aggrieved at the decision of the Commissioners on a question concerning whether he is or is not entitled to become a contributor.

*Unemployment Insurance.\** The Second Part of the Insurance Act deals with Unemployment. The scheme came into operation on the same day as Part I., namely, on 15th January, 1912, but it is administered by a different Authority—the Board of Trade, working through the Labour Exchanges.

The scheme is partly on a compulsory and partly on a voluntary basis. In the first place, it is provided that all employers and workpeople in certain trades (see XXII.) shall pay contributions, and that benefits shall be paid to people engaged in these trades when unemployed. In the second place, voluntary insurance against unemployment is encouraged by means of money grants from State funds to associations of persons in all trades and occupations which pay out-of-work benefits.

**XXII. THE COMPULSORILY INSURED TRADES ARE :—**

- (a) *Building.* The construction, alteration, repair, decoration of buildings, including the manufacture of any fittings of wood of a kind commonly made in builders' workshops or yards ;
- (b) *Construction of Works.* The construction, reconstruction or alteration of railroads, docks, harbours, canals, embankments, bridges, piers or other works of construction.
- (c) *Shipbuilding.* The construction, alteration, repair or decoration of ships, boats or other craft by persons not being usually members of a ship's crew, including the manufacture of any fittings of wood of a kind commonly made in a shipbuilding yard.
- (d) *Mechanical Engineering.* including the manufacture of ordnance and firearms.
- (e) *Ironfoundry,* whether included under the foregoing headings or not.
- (f) *Construction of Vehicles.* The construction, repair or decoration of vehicles.
- (g) *Sawmilling* (including machine wood-works) carried on in connection with any other insured trade or of a kind commonly so carried on.

All workpeople (whether men or women) over 16 years of age engaged wholly or mainly by way of manual labour in these trades must be insured. Foremen, other than manual workmen, clerks and indentured apprentices are excluded. The Act provides that " In determining any question as to

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\* See Return containing Explanatory Memorandum with regard to the Scheme for Insurance against Unemployment embodied in Part II. of the National Insurance Bill (Board of Trade, May, 1911 ; London : Wyman & Sons.)—Return containing the Report by Mr. Thomas Ackland . . . on the Scheme for Insurance against Unemployment embodied in Part II. of the National Insurance Bill (London, 1911 : Wyman and Sons).—Board of Trade : Unemployed Benefits of Trade Unions and Earnings in Insured Trades (London, 1911 : Wyman & Sons)

whether any trade in which a workman is or has been employed is an insured trade or not, regard shall be had to the nature of the work in which the workman is engaged, rather than to the business of the employer by whom he is employed."

In cases where there is any doubt whether the workman is included in an insured trade, an umpire decides. He is an official appointed by the Crown, and independent of the Board of Trade. The umpire has already made a long list of decisions of this nature.

Workmen engaged by the same employer partly in an insured trade and partly in a non-insured trade may arrange with the employer to have contributions paid on their account.

**XXIII. CONTRIBUTIONS.** The sums required to provide the funds from which unemployment benefit is to be paid are derived from employers, workmen and monies provided by Parliament. The rates are :—

- |   |         |     |
|---|---------|-----|
| (a) Workmen of the age of 18 and upwards for every period of employment for which wages have been paid, of more than two days, but not more than a week | .. .. . | 5d. |
| Of more than one day but not more than two days   | .. .. . | 4d. |
| Of not more than a day  | .. .. . | 2d. |
| (b) Workmen below the age of 18, for every period of not more than a week of employment for which wages have been paid                                  | .. .. . | 2d. |

The State contributes a sum equal to one-third of the total contributions of employers and employed.

No contributions are payable during unemployment or when the workman is for any reason engaged in a non-insured trade.

**XXIV. COLLECTION OF CONTRIBUTIONS.** The contributions are collected by means of special unemployment insurance stamps, affixed to a book, returnable on certain occasions to the labour exchanges or to local offices of the Unemployment Fund. The employer is responsible for the affixing of the stamps, and is entitled to deduct one-half of the value of these stamps from wages. Employers can make arrangements with the Board of Trade that the labour exchange shall perform the duty of stamping and keeping the unemployment books of workmen already in their service or engaged later through the exchange. The exchange may also undertake the duties of such employers under Part I. of the Act. Certain deposits are required from the employers in these cases.

**XXV. CASUAL LABOUR.** As all casual labour employed in these trades is insurable, ingenious schemes have been made dealing with this class, whereby the employer who engages his casual labour through the exchange pays an amount calculated not on each separate engagement, but for each six days labour, whether of the same workmen or not, and whether the employment is continuous or not. Failure to pay contributions is penalised by fines.

**XXVI. REVISION OF RATES.** There may be a revision of contributions every seven years if the Board of Trade decides that the contributions of any trade are either excessive or deficient. The order must not vary the rates unequally as between the employer and the workman—*i.e.*, if the workman's contribution is increased by one halfpenny, the employer's must be increased by the same amount.

XXVII. REFUND OF CONTRIBUTIONS. In order to encourage the decasualisation of labour, the following provisions are made :—

(a) Employers who have employed a workman continuously for a period of twelve months from 15th July in one year to 14th July in the following year, and in respect of whom not less than 45 contributions have been paid, are entitled to a refund of one-third of the amount paid as employers' contributions in respect of that man ;

(b) If, during a period of depression in his business an employer has put some or all of his workmen upon systematic short time, and has paid both his own and the workmen's contributions without deducting the latter's share from wages, he is entitled, on proving these facts to the satisfaction of the Board of Trade, to a refund of the whole amount so contributed. By this method both the employer and the workmen escape contributions during systematic short time.

In order to give the workmen as much interest as possible in the scheme, a kind of savings bank function is combined with it. If a workman has made 500 contributions, he may, on reaching the age of 60, claim a refund of the whole amount of his own contributions, less the amount he has received as unemployment benefit, with compound interest at  $2\frac{1}{2}$  per cent.

XXVIII. BENEFITS.\* Benefits first became payable on 15th January, 1913. The ordinary unemployment benefit is 7s. a week. Workmen between 17 and 18 years of age receive 3s. 6d. a week. Workmen under 17 cannot claim benefit. No benefit is payable for the first week of any period of unemployment. Benefit cannot be obtained for more than 15 weeks in any period of twelve months or for more than one week for every five full weekly contributions—i.e., 5d. Proportionate allowances are made for contributions of 2d. or 4d. In the case of workmen over 21 who have habitually worked at an insured trade prior to the commencement of the Act, there is deemed to be added to the number of contributions he has actually paid, five contributions for each period of three months or part of such period during which he has so worked, up to a maximum addition of 25 contributions.

XXIX. CONDITIONS OF BENEFIT. The statutory conditions for the receipt of unemployment benefit by any workman are :—

(a) that he has been employed as a workman in an insured trade in each of not less than 26 calendar weeks in the preceding five years ;

(b) that he has applied for work in the prescribed manner, and that since the date of the application he has been continuously unemployed ;

(c) that he is capable of work, but unable to obtain suitable employment ;

(d) that he has not exhausted his right to unemployment benefit.

But a workman is not disqualified from receiving benefit because he has declined—

(a) an offer of employment in a situation vacant in consequence of a stoppage of work due to a trade dispute ; or

(b) an offer of employment in the district where he was last ordinarily employed at a rate of wage lower, or on less favourable conditions, than those which he habitually obtained in his usual employment in that district, or would have obtained had he continued to be so employed ; or

\* For his contribution of  $2\frac{1}{4}$ d., the workman is insured against unemployment to an extent which would cost a trade union about 6 $\frac{1}{4}$ d.

(c) an offer of employment in any other district at a rate of wages lower, or on less favourable conditions than those generally observed in such district by agreement between associations of employers and of workmen, or failing any such agreement, than those generally recognised in such districts by good employers.

XXX. DISQUALIFICATIONS. Persons are disqualified for Unemployment Benefit in the following cases :—

(a) A workman who has lost employment by reason of a stoppage of work which was due to a trade dispute at the factory, workshop or other premises where he was employed, is disqualified for unemployment benefit so long as the stoppage of work continues, except in a case where he has, during the stoppage of work, become *bonâ fide* employed elsewhere in an insured trade.

In cases where separate branches of work which are commonly carried on as separate businesses in separate premises are carried on in separate departments of the same premises, each of those departments is deemed, for this purpose, to be a separate factory or workshop.

(b) A workman who loses employment through misconduct, or who voluntarily leaves his work without just cause, is disqualified for unemployment benefit for a period of six weeks from the date when he so lost employment.

(c) A workman is disqualified from receiving benefit whilst he is an inmate of any prison, workhouse or other institution supported wholly or partly out of public funds, and also whilst he is resident outside the United Kingdom.

(d) A workman is disqualified for receiving unemployment benefit whilst he is in receipt of any sickness or disablement benefit under Part I. of the National Insurance Act.

A workman who has once worked at an insured trade and contributed to the Unemployment Fund does not lose his claim to benefit by subsequently working in a non-insured trade, and can claim benefit proportional to his contributions, provided that at any time within the whole of the preceding five years he has worked for 26 weeks at an insured trade.

XXXI. DISPUTED CLAIMS. The decision on a claim to benefit is made in the first instance by an insurance officer appointed by the Board of Trade. If the workman is dissatisfied by the decision, he may claim to have the matter settled by a Court of Referees (see XXXII.), consisting of an impartial chairman appointed by the Board of Trade, and one or more representatives of employers and workmen respectively. If the insurance officer disagrees with the recommendation of a Court of Referees, he may be required by the Court to refer the matter to the umpire, whose decision is final.

XXXII. COURT OF REFEREES. The representatives of the employers are chosen from a panel of referees appointed by the Board of Trade in any district they think fit. The Board, in making the appointments, take into consideration the names of any persons suggested by employers or associations of employers who are interested.

The representatives of the workmen are chosen from a panel of referees elected by a ballot of all the workmen in a district who have worked at an insured trade for a certain time.

As before stated, the umpire is an official appointed by the Crown and paid by the Treasury.

XXXIII. METHOD OF OBTAINING BENEFITS. The workman can obtain benefit in one of two ways :—

(1) Direct from the Unemployment Fund through a labour exchange or other local office of the Fund ; or

(2) Through an association *which pays unemployment benefit* and which has made an arrangement with the Board of Trade. Trade Unions and similar associations are recognised for this purpose.

The arrangement is that there will be repaid to an association, out of the Unemployment Fund, the equivalent of the unemployed benefit under the Act, but this sum must not exceed three-fourths of the amount of benefit paid by the Association to such workmen whilst unemployed. It will work out to this—that for every 7s. benefit receivable from the Fund the association must make an extra grant of 2s. 4d.

In either case, on losing employment, the workman gets his unemployment book and gives it in at the Labour Exchange. Notice of the claim will be given to the last employer. If the workman belongs to an association which has made such an arrangement as described above, he will be given a voucher at the Labour Exchange. This he takes to his association, which pays the benefit, afterwards claiming three-fourths of the amount so paid from the Unemployment Fund. The labour exchange retains the book, and as the man cannot obtain employment without producing the book, this ensures that he cannot draw unemployment benefit while working in an insured trade.

XXXIV. ENCOURAGEMENT OF VOLUNTARY INSURANCE AGAINST UNEMPLOYMENT. In addition to the compulsory scheme, the Act provides for the encouragement of voluntary insurance in *all* trades. Any association of persons (not necessarily manual labour) not trading for profit, which pays unemployment benefit may recover one-sixth of the amount so paid, not exceeding 12s. per week per member ; that is, they can recover from the Fund a sum not exceeding 2s. a week.

*SOUTH AUSTRALIA.* An Act of 7th December, 1910 (Title E.B. VII., p. 348, No. 8), amending several Friendly Societies Acts, extends the sphere of operation of the said organisations, and makes it possible for societies and branch societies to combine for the purpose of attaining common objects.

*SWITZERLAND.* Federal Act with respect to Sickness and Accident Insurance, dated 13th June, 1911. (German Text, G.B. XI., p. 174 : English Translation in the "Bulletin of the United States Bureau of Labour. No. 103 ; August, 1912.) When the Federal Act respecting employers' liability in factories of the 25th June, 1881, was under consideration, the Commission of the Ständerat had drawn attention to the German Legislation on accident insurance as being by far the most favourable solution for the workers (*Bundesblatt* 1881, I. 483). The Commission added that, at the present time, it would not be possible to promulgate such an Act in Switzerland, but at the same time it expressed its conviction that it would not be possible for Switzerland to resist permanently the introduction of the insurance system, so soon as its practicability had been proved in Germany.

On 25th March, 1885, the National Council passed a motion introduced by Klein, which requested the Federal Council—

(1) "To subject to revision the Liability Acts of 1st July, 1875, and 25th June, 1881, with a view to extending the liability, and for the purpose of facilitating the enforcement of claims for compensation ;

(2) To inquire into the question and to report as to whether general and compulsory workmen's accident insurance should not be aimed at."

The first part of this motion was realised by the extended Liability Act of 26th April, 1887; the second part required more extensive preliminary work (Inquiry of the Executive of the Swiss Commercial and Industrial Association, published in 1890 and 1893; statistics of accidents in Switzerland from 1st April, 1888, to 31st March, 1891, published in 1894 as the 95th Part of the "Schweizerische Statistik"; opinion of the National Councillors, Kinkelin and Forrer, 1889, *Bundesblatt* 1889, IV., 843). The inquiries resulted in the motion of the Federal Council to add to the Federal Constitution §34bis, according to which the Confederation should be authorised to introduce compulsory accident insurance by way of legislation, to make legal regulations as to sickness insurance and to declare it compulsory for all wage earners to join a sick fund.

The new §34bis was passed by the Councils, and on the 26th October, 1890, it was accepted by a Federal Referendum, with 283,228 citizens' votes to 92,200, and 20½ class votes (Standesstimmen) to 1½, in the following form:—

"The Confederation shall establish sickness and accident insurance by way of legislation having regard to existing sick funds.

It may declare it compulsory to join such insurances, either generally or for certain classes of the population."

At the end of 1891 the Industrial Department instructed National Councillor Forrer to draw up the necessary Acts for carrying §34bis into effect. But in opposition to the Bill drafted by National Councillor Forrer (lex Forrer), which had been passed on the 2nd October, 1899, by the National Council by 113 votes to 1, and on 5th October, 1899, unanimously, by the Ständerat (35 votes, with one member abstaining), 117,461 citizens demanded a Referendum, and on the voting being taken on the 20th May, 1900, the Bill was rejected by 341,914 votes to 148,035; only the Canton of Glarus showed a majority in favour of the Bill.

We may mention here, shortly, the principal features of the Lex Forrer of 5th October, 1899, which contained 400 sections:—

*Sickness Insurance.* All persons in Switzerland earning their living in the employment of others, over 14 years of age, were to be subject to the insurance if their employment was not restricted to a period of less than one week, and if their annual earnings did not exceed fr.5,000. Day labourers and workers engaged in home industry, working on their own account, could be subjected to the compulsory insurance by resolution of the Canton. Persons not subject to the compulsory insurance were to be allowed to join the sick fund of their insurance district as voluntary members, either as fully-insured or semi-insured persons, provided that they were in good health, below the age of 45, and, as far as full insurance was concerned, at least 14 years of age. Every Canton was to form one or several insurance districts of at least 2,000 inhabitants each; in each one of these districts, a District Sick Fund was to be established. Works sick funds, which the owner of a concern was entitled or compelled to establish for the whole of his staff, were to be considered as a second kind of public fund. Every insured sick person was to be entitled, for the maximum duration of one year from the commencement of the sickness, to claim medical treatment and medicine and sickness benefit from the third day of sickness. This sickness benefit was to amount, in the event of complete disablement, to 60 per cent. of the daily wages in question, fixed by a division into 10 wages classes. The fully insured voluntary members were to be entitled to claim the same benefits, while those semi-insured were to be entitled to claim medical treatment only. In the event of death, the

Fund was to pay death money of from frs.20-40. The contribution of the Confederation for every compulsory member and every voluntary Swiss member had been fixed at 1 centime at least per day of membership. In districts where the granting of medical assistance would cause specially high expenses by reason of topographical conditions, special federal contributions were provided for; finally, Parliament was to be authorised to allow a further amount of 1 centime per day of membership for the compulsory members engaged in agriculture, handicrafts and small trades. The balance of the expenses was to be covered by the contributions, which the employers of compulsorily insured persons were to pay monthly and in advance, with the right to deduct one-half from the wages of the insured persons subsequently due. The contributions were not to exceed 4 per cent. of the wages. The persons voluntarily insured were to pay the full amount themselves, as well as day labourers and independent workers in home industries, or should they be unable to do so the Cantons in their stead. The Cantons were also to take over the deficiencies of the District Sick Funds, while those of works sick funds were to be at the charge of the industrial employers. For the purpose of fixing the contributions and of the payment of the sickness benefit the fully-insured persons were divided according to their daily wages in 10 wages classes of from fr.1. to fr.7.50. The supervision over the public funds was to be effected by the Cantonal inspection authorities under the control of the Confederation, and disputes as to the rights of private parties were to be decided by Cantonal Arbitration Courts, with a right of appeal to a Federal Insurance Court. All funds, not being public funds, engaged in sickness insurance, were to be subjected to Cantonal inspection. If they granted their members at least the same benefits as the public funds granted to their semi-insured members (medical treatment and medicines) these free funds were to be entitled to claim the Federal contribution for every member of Swiss nationality. Every person liable to insure was to be at liberty to prefer a free fund of Class A to the public fund, if such free fund granted at least the same benefits as those for which the compulsory members of a District Sick Fund were insured, or a free fund of Class B, which guaranteed medical treatment and sickness benefit of at least fr.1.

*Accident Insurance.* The class of persons liable to insurance was to be the same as for the sickness insurance. Only the employers or persons compulsorily insured were to be entitled to insure voluntarily, under the condition that they were also members of a public sick fund. For all the persons compulsorily insured, a single Federal Insurance Institute was to be created by the Confederation. As regards benefits, the following were provided:—For temporary disablement, medical attendance and sickness benefit, the same as under the sickness insurance (this disablement was to be at the charge of the sick fund for the first six weeks); in the case of permanent bodily injury an allowance of 60 per cent. of the loss in wages; in the event of death, in addition to death money of from frs.20-40, an allowance to the survivors, the amount of which was to be fixed according to the degree of relationship and the total amount of which was not to exceed 50 per cent. of the yearly earnings of the deceased. The premium of every insured person was graduated according to the amount of the accident risk and according to the wages class to which the insured belonged. The Federal Insurance Office was to draw up a tariff of risks; one-fifth of the premium was to be paid by the Confederation and the balance by the employer, who was to be entitled to deduct one-quarter of the amount of premium payable by him from the wages of the insured. Disputes were to be settled by a Federal Insurance Court. The legislation as to liability was to be repealed, except in so far as diseases connected with certain employments were concerned.\*

\* The amount and distribution of expenses for approximately 600,000 persons compulsorily insured was estimated as follows:—

Participants in the Contribution.	SICKNESS INSURANCE.		ACCIDENT INSURANCE.		SICKNESS AND ACCIDENT INSURANCE.		
	Percentage of contribution on estimated wages.	Contribution. Fr.	Percentage of contribution on estimated wages.	Contribution. Fr.	Percentage of contribution on estimated wages.	Contribution. Fr.	Percentage of share in the entire contribution.
1	2	3	4	5	6	7	8
Confederation..	0.6	2,540,000	0.6	2,624,000	1.2	5,164,000	22
Employer ..	1.4	6,000,000	1.1	4,872,000	2.5	10,872,000	46
Worker ..	1.4	6,000,000	0.4	1,624,000	1.8	7,624,000	32
Total ..	3.4	14,540,000	2.1	9,120,000	5.5	23,660,000	100

For 300,000 persons voluntarily insured against sickness and for 100,000 persons voluntarily insured against sickness and accident, the Confederation would have had to pay, in addition, frs.2,081,000; its total contribution, including frs.300,000 for the military insurance, would thus have reached the amount of fr.7,545,000.

Immediately after the rejection of the Lex Forrer by the referendum, the chapter not contested concerning the military insurance was separated and incorporated in the Act of 28th June, 1901 (Text G.B., Bd. I., p. 310); moreover, the preliminary work for a new Bill was commenced at once. The Federal Council appointed from amongst its members a delegation of three who were to occupy themselves specially with the questions of sickness and accident insurance. An arrangement between the Industrial Department and the Swiss Statistical Society led to the drawing up of statistics of the Mutual Benevolent Associations of Switzerland (published 1907). By a Message dated 10th December, 1906 (*Bundesblatt*, 1906, VI., p. 299), the Federal Council submitted to Parliament its new Bill of only 100 Sections.

The Bill of 1906 started from the assumption that the 1899 Act was rejected chiefly by reason of the fact that it made sickness insurance compulsory. The opponents of compulsory insurance had emphasised the fact that it was an Act of class legislation to restrict the obligation to persons earning their living in the employment of others; they had criticised the minimum age of 14 years, the minimum service of one week, the maximum limit of income of fr.5,000, etc.; they had declared that the foundation of public funds would endanger immediately or in future the existence of the free benevolent funds and had expressed fears on account of the liability of the Cantons provided for in the Act with respect to deficiencies of the sick funds, and to certain unpaid contributions, and by reason of the interference of the authorities and the danger of malingering.

Accordingly, the Bill of 1906 limited itself to the encouragement of voluntary sickness insurance (in 1903 there existed already approximately 435,000 persons insured in this manner against sickness—that is to say, 13 per cent. of the inhabitants). As regards accident insurance, the draft Bill adhered to the compulsory system and to the Federal Insurance Institute, but restricted the class of persons liable to insure, which in the 1899 Act had included “all persons earning their living in the employment of others,” to the workers subject to the system of liability hitherto in force (about 428,000 persons—that is to say, 12 per cent. of the entire population). In particular, the workers and employees engaged in agriculture, handicrafts, small trades, and commerce, as well as domestic servants, workers in home industries and day labourers, were exempt from the compulsory insurance.

After the draft Bill had been discussed by the Commission of the National Council (see Report of the Commission of the National Council, *Bundesblatt*, 1908, III., 458), the first reading in the National Council itself took place in June, September, and October, 1908 (Shorthand Reports, *Nationalrat*, 1908, pp. 119 *et seq.*). The Commission of the *Ständerat* reported on 20th November, 1909 (*Bundesblatt*, 1909, VI., 360); the first reading in the *Ständerat* took place in December, 1909, and April, 1910 (Shorthand Reports, *Ständerat*, 1909, pp. 169 *et seq.*, and 1910, pp. 3 *et seq.*); in October and November, 1910, as well as in March, April, and June, 1911, the differences existing between the two Councils were cleared up (Shorthand Reports, *Nationalrat*, 1910, pp. 361 *et seq.*; *Ständerat*, 1911, pp. 9 *et seq.*; *Nationalrat*, 1911, pp. 69 *et seq.*). In the final voting, which took place on 13th June, 1911, the Act was passed by the National Council by 136 to 12 votes, and by the *Ständerat* unanimously. As a referendum was demanded by 75,930 citizens (see Publication of the Referendum Committee: “Warum wir das Referendum über das Kranken- und Unfallversicherungsgesetz vom 13 Juni 1911 verlangen”—Zürich 1911, Buchdruckerei Berichthaus), the Act was submitted to the popular vote on



4th February, 1912; 287,565 votes were cast in favour and 241,416 against the Act, and against 17 Cantons which approved the Act there were eight who rejected it (among the latter all the French-speaking Cantons). (See Report of the Federal Council, *Bundesblatt*, 1912, I., 425.)

We give in the following the principal provisions of the new Federal Act on sickness and accident insurance of 13th June, 1911, taking into special consideration the controversial questions.

*Sickness Insurance (§§1-40).*—The Confederation is to promote voluntary sickness insurance by granting contributions to sick funds which satisfy the legal requirements (§1). The way is prepared for future compulsory insurance by authorising not only the Cantons but also the communes to introduce compulsory insurance generally or for certain classes of the population, in which cases the Cantons or communes declaring the sickness insurance to be compulsory are to be granted special assistance by the Confederation (up to one-third of the premiums paid). (§38.)

The recognition and assistance given to a sick fund depend on the fulfilment of certain legal stipulations:—the fund must have its offices in Switzerland; it must not treat Swiss citizens less favourably than other members, and in that case the Federal contribution is to be paid also for such of their insured as are not of Swiss nationality; the fund must carry on the sickness insurance according to the principles of mutuality and must give security that it is able to comply with the obligations undertaken (§3). The admission of a Swiss citizen shall not be made dependent on his belonging to a certain religious faith or to a certain political party (§5). According to the statistics of 1903, 3 per cent. of the sick funds were denominational or political. The fund must grant admission to women under the same conditions as to men: in 1903, 58 per cent. of the funds refused to admit members of the female sex, chiefly on account of their more unfavourable health conditions; with 334,528 male insured persons, there were only 86,599 female insured persons; exemption from this obligation is allowed only in the case of the funds of trades, trade unions, or establishments which include only persons of one sex (§6). The fund must grant to the members the right of transfer—that is to say, the possibility of joining another fund, if he is compelled by the rules to resign his membership by reason of change of residence or alteration of occupation or employment, or if the fund is dissolved or loses its position as a recognised fund. While, as regards this controversial question, the *Ständerat* wished to incorporate this in the Act as a principle only and to leave its execution to the funds with their transfer associations founded on their own initiative, the National Council, whose view finally prevailed, insisted upon regulating transfers by law (§§7-10), even at the risk that thereby the works sick funds might be somewhat favoured as against the general sick funds. As a minimum benefit, a fund must grant medical treatment and drugs or sickness benefit of at least fr.1 per day, the first-named benefits from the commencement of the illness and the sickness benefit at latest from the third day; of the 1812 funds existing in 1903, 74 only granted free medical treatment, 815 only sickness benefit, 857 both benefits, and 66 money payments or supply of provisions. The insurance benefits must be paid to a sick member under all circumstances after the expiration of three months from his joining the fund, for one or several periods of sickness lasting at least 180 days, in the course of 360 consecutive days (§§12-13); the fund must further treat childbirth as sickness, and grant to lying-in women the benefits provided for cases

of sickness during at least six weeks, independent of the receipt of any other insurance benefits; if a woman after confinement nurses her child beyond the period of assistance during a further four weeks she must be granted nursing benefit of at least fr.20 (§14). The fund must give to the sick member free choice from amongst the doctors practising within the locality where he resides or in its neighbourhood; however, the fund is entitled to enter into contracts with doctors or medical associations on the basis of fixed tariffs and also with pharmacists with respect to the supply of medicines; the tariffs must be fixed by the Cantonal Government after consultation with the representatives of the funds and the professional associations of pharmacists. This principle of the conditionally free choice of doctor, which has been incorporated in the Act (§§15-25) was the result of long negotiations. Originally the National Council claimed absolute free choice of doctor (reference was made to the "proletarianising" of the medical profession in Germany, which is there partly attributed to the restricted choice of doctors under the German Sickness Insurance), while the Committee of the *Ständerat* wish to leave the sick funds to settle the question of doctors. In a plenary sitting the *Ständerat* considered the wishes of the doctors and agreed with the National Council. On the sick funds then referring to the intolerable charge which was put upon them by the free choice of doctor and threatening opposition to the Act, the *Ständerat* reconsidered its decision, and granted the conditional free choice of doctors to funds in whose district more than six physicians were in practice. The conditional free choice of doctors was then assented to by both the Councils in the amended form given above. The funds must see that there is no over-insurance—that is to say, that no member is insured with more than two funds (§26). Finally, the funds must co-operate in the accident insurance in the manner described below (§27).

The sick funds complying with these provisions are to receive the following Federal contributions (§§35-39):—

- (a) For insured children up to 14 years, fr.3.50;
- (b) Fr.3.50 for male, and fr.4 for female, insured persons to whom the fund grants medical treatment and medicines or sickness benefit of at least fr.1 per day;
- (c) Fr. 5 for insured persons to whom the fund grants not only medical treatment and medicines, but also a daily sickness benefit of at least fr.1.

These Federal contributions are increased by fr.0.50 for members to whom the fund grants the insurance benefits during at least 360 days, in the course of 540 consecutive days. The Confederation further pays to the funds a contribution of fr.20 for every confinement and, in addition, a further contribution of fr.20 for the nursing benefit mentioned above. In the thinly populated mountainous districts to which access is difficult, the Confederation grants the funds a "mountain supplement" up to fr.7 per annum for every insured member; it may further grant to the Cantons for themselves or payable to their communes, contributions (up to fr.3 per head of the population concerned) to payments which have the object of reducing the expenses of treating the sick and confined women.

*Accident Insurance (§§41-122).*—In Switzerland there existed up to the present the system of employers' liability (Federal Act respecting employers' liability in factories, dated 25th June, 1881; Federal Act to extend liability and to supplement the Federal Acts of 25th June, 1881, and 26th April, 1887; Federal Act concerning the liability of railway and steamship undertakings).

and of the Post Office, dated 28th March, 1905 ; Text G.B. IV., p. 53, No. 1). The principal defects of these Acts were found to be the following (see Message of the Federal Council dated 10th December, 1906, *Bundesblatt* 1906, VI., 313) ; the risk to which the employer was exposed by the possible liability to pay compensation ; the impossibility of obtaining from an insolvent employer the payment of the compensation for the injured person or his representatives ; the lengthy and expensive law suits, with their uncertain issue with respect to the application of some ground or other for reducing or refusing the compensation ; the want of harmony in the relations between employers and workers which arose in view of these lawsuits ; the fact that a worker who had already previously met with an accident and had been compelled to proceed against a former employer had for that reason great difficulty in finding further employment ; the form and amount of the compensation which might not be proportionate to the injury ; the want of complete uniformity among the principles adopted in the several liability Acts ; the large number of these Acts. The Act of 1912 replaces employers' liability by compulsory insurance. The class of persons liable to be insured is widened as compared with that coming under the liability Acts, since trades which had been included under the liability Act in the year 1887, only if they employed, as a rule, more than five workers, are now included in the compulsory insurance without any restriction whatsoever, and since not only workers but also apprentices, volunteers, assistants, and employees of every kind are subject to the insurance.

The employees and workers in all the following undertakings in Switzerland are subject to the compulsory insurance (§60) :—

- (1) Railway and steamship undertakings and the post office ;
- (2) Establishments subject to the Federal Act of 23rd March, 1877, with respect to work in factories ;
- (3) Undertakings in—
  - (a) The building trades,
  - (b) Transportation, by land and by water, and rafting ;
  - (c) The erection and repair of telephone and telegraph lines, the installing or removing of machines, the installation of technical apparatus ;
  - (d) The construction of railways, tunnels, roads, bridges, water-works and wells, excavations and the working of mines, quarries, or pits ;
- (4) Undertakings in which explosive substances are produced or used by way of trade.

The compulsory insurance holds good for industrial accidents, as well as for those unconnected with employment, in which latter connection the institution is, however, entitled to exclude special dangers and risks (sport, etc.). (§67.) The manufacturers opposed the inclusion of accidents unconnected with work ; no other State had dared to insure against such accidents. The financial liability involved by including such accidents could not be foreseen as there existed no reliable statistical data ; it signified an expensive experiment in favour of foreigners, and the people would object that between 100,000 and 120,000 foreigners were insured even against accidents unconnected with their work, while a large number of Swiss people—namely, those who would not come under the Act—could not even be voluntarily insured with the Insurance Institution against industrial accidents. In reply to this the representatives of the workers declared that the working classes had no

further interest in the Bill becoming law, unless the insurance of accidents not connected with work would be introduced ; this was because, with respect to industrial accidents, the liability legislation offered approximately as much as the new Act. Although, in consequence of these considerations, those who were in favour of including non-industrial accidents were victorious in the National Council, the *Ständerat* found a solution which reconciled at least a portion of the manufacturers with this decision. The National Council had provided a uniform premium for industrial and non-industrial accidents, to which the Confederation was to contribute in the first instance one-half per cent. of the amount of wages, while of the remainder, three-quarters were to be borne by the employer and one-quarter by the insured. In such a case the employers were justified in objecting that the industrial concerns would be made liable for accidents which were not caused through their fault. For this reason the *Ständerat* decided to keep separate account of industrial and non-industrial accidents ; thus the employer is exclusively liable for industrial accidents. The risk for accidents not connected with work is borne, to the amount of three-quarters, by the insured, and one-quarter by the Confederation. This solution was finally agreed to by the National Council (§108). Occupational diseases are placed on the same level as industrial accidents. These diseases include not only those which are produced exclusively by the poisons used in industry, as had been proposed by the Federal Council, but, according to the resolution of the *Ständerat*, also such diseases as are chiefly (*vorwiegend*) to be attributed to this original cause (§68).

This Swiss Accident Insurance Institution to be established by the Confederation (§§41-53) is the responsible authority for the accident insurance. Only the insurance of small accidents causing sickness for not more than six weeks may be transferred by the Accident Insurance Institution to sick funds in return for certain reimbursements of premiums and losses, an arrangement by which it is hoped that the Institution will realise considerable savings, and that the administration will be simplified (§§54-59). The question of the monopoly institution ("monopolanstalt") was very much contested during the discussion of the Act and formed the chief ground for instituting the referendum. The adherents of the Institution asserted that a uniform administration of the accident insurance could only be guaranteed by a Government institution, that the proportion of the expenses of administration as compared with the benefits granted by the Institution would be the more favourable the greater the number of insured, that the expenses in connection with the acquisition of members would be done away with, that, moreover, a number of concessions would reduce the administrative expenses, and that a thorough representation of the insured would become possible. The opponents relied on the conditions prevailing in the Netherlands and in Italy, where free competition was admitted, side by side with the Government Institute, and they emphasised the expensive nature of Government administration ; they desired that the insurance should be handed over to private insurance companies, if necessary, in connection with the Government Institution. Two of the large accident insurance companies tried, in an address to the Federal Councillors, to meet the objection that in mixed systems private institutions would acquire the better risks and would leave the bad risks to the public institution, by the express assurance that they would be prepared to take over the risks, which could not be otherwise placed, jointly with the Government Insurance Institution, to the amount of one-third in each case, or else in proportion to the premiums from the workmen's insurance

business. Notwithstanding this, both Councils decided with great majorities on the establishment of a monopoly institution. The Accident Insurance Institution carries on the insurance according to the principle of mutuality, and is therefore not a branch of the Federal administration. The Administrative Council consists of 40 members (16 representatives of the employers, 12 of persons compulsorily insured, 4 of persons voluntarily insured, and 8 of the Confederation. At the head of the Institution is a Directorate, the constitution of which is fixed by the Federal Council. It may establish agencies in the several parts of the country. The Institution is open also for voluntary insurance to persons above 14 years of age, not compulsorily insured, who reside in Switzerland; the Confederation pays for every insured person whose annual income does not exceed frs.3,000, one-eighth of the annual premium (§§115-117); it may further undertake the voluntary insurance of third parties to whom the employer is liable to reimburse compensation (§§118, 119). The extension of the voluntary insurance specially benefits the class of craftsmen and also agriculture, which, during the last decades, has been made liable to pay compensations to a continually increasing extent, in consequence of judgments given by the Federal Court. The Confederation pays to the Institution half of the administrative expenses, hands over to it a working capital of 5 million francs, and a further 5 million francs for the creation of a Reserve Fund (§51). The *Ständerat* intended to hand over the settlement of disputes to a single judicial instance, in order to secure uniform decisions, but finally the proposal of the National Council to entrust the Cantonal Courts with the jurisdiction, and to create a Federal Insurance Appeal Court, prevailed.

The insurance benefits (§§72-100) consist in: (a) medical benefit and sickness benefit, (b) invalidity allowances, (c) funeral expenses, (d) survivors' allowances. The sickness benefit amounts to 80 per cent. of the wages of the insured (any earnings above frs.14 per day are not taken into consideration), and is therefore below the benefits granted under the present Liability Act, according to which compensation to the full amount of the daily wages was paid, which, however, encouraged malingering. The invalidity and survivors' allowances which are paid for permanent injury, or, in case of death, exceed on the whole the benefits under the Liability Acts, by from 13 to 15 per cent.; the maximum settlement in full of frs.6,000 provided for in the Liability Acts is now replaced by the payment of allowances which may reach a much higher capital amount. The invalidity allowance in the event of complete disablement amounts to 70 per cent. of the annual earnings of the insured (earnings above frs.4,000 per annum are not taken into consideration), and if the insured person is exceptionally helpless and needs the services of a nurse, it may be increased up to 100 per cent.; in case of partial disablement the allowances are correspondingly reduced. The maximum survivors' allowance amounts to 60 per cent. of the annual earnings; the widows' allowance alone amounts to 30 per cent.; the widowers' allowance, even if disablement does not occur until some time within five years of the death of the wife, likewise 30 per cent.; the children's allowance 15 per cent., and if both parents have died, 25 per cent.; the children's allowance generally is paid up to the age of 16, or for children unable to earn a living, until 70 years have elapsed since the date of birth of the late breadwinner; a maximum of 20 per cent. of the annual earnings of the insured is paid to relations of the ascending line for life, and to brothers and sisters up to the sixteenth year. Should one of the survivors die, the allowances of the remaining survivors are increased

equally up to the maximum amount of the claim. The funeral payment is frs.40. The premiums of the compulsory insurance are made up in such a manner that the employers pay the premiums for covering the industrial accidents while the risk of accidents not connected with work is borne three-quarters by the insured and one-quarter by the Confederation. The rate of premium which is expressed in a definite percentage of the wages insured depends on the accident risk of the special trade. The trades are divided into risk classes and grades; the rates of premium are calculated in such a manner that the corresponding expenditure of the Institution will presumably be covered out of the premiums of every class and grade of risk.\* As regards the insurance of foreigners (§90), the Act stipulates that the insurance benefits shall be granted to persons and survivors of persons residing in Switzerland, who are subjects of those foreign States where Insurance Acts offer equivalent advantages to Swiss citizens, and their survivors; insured persons being subjects of other States are entitled to receive medical benefit, sickness benefit, and funeral expenses, but only three-quarters of the invalidity or survivors' allowances.

[See also :—2.191 Austria; 2.195 Austria Below the Enns, German Empire—Sweden Sweden—Denmark; 4.3 France; 4.5 German Empire.]

#### 4.1. MATERNITY INSURANCE.

**ITALY.** The question of maternity insurance, which was raised in Italy for the first time at the Workmen's Insurance Congress of 1894, at Milan, and the solution of which was attempted in the first place by means of private local funds (Turin, Milan, Rome, Brescia, Bergamo, Florence, Voghera, etc.) has found a uniform national solution in connection with the legislation for the protection of women and children, by the Act of 17th July, 1910 (Text E.B. VII., p. 28). The new institution is regarded as supplementing §6 of the Act respecting the employment of women and children, dated 19th June, 1902 (Text G.B. I., p. 548, No. 1), which prohibits the employment of women for

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\* With respect to the expenses of the sickness and accident insurance, the following estimates have been drawn up [cf. A. Gutknecht, *Die Grundsätze des Bundesgesetzes über die Kranken- und Unfallversicherung*, Vom 13. Juni 1911 (the Principles of the Federal Act of Sickness and Accident Insurance of the 13th June, 1911) *Politisches Jahrbuch der schweizerischen Eidgenossenschaft* 1911, Bern, K.J. Wyss, p. 139].

**Sickness Insurance.**—800,000 insured persons, 660,000 of whom belong to the voluntary and 140,000 to the compulsory insurance. Ordinary Federal contributions to the Fund, frs.3,827,500; child-birth contributions, frs.448,000; contributions for reducing the cost of treatment in out-of-the-way districts, frs. 200,000; cost of administration, frs. 100,000; annual total expenditure of the Confederation, frs. 4,575,300.

**Accident Insurance.**—700,000 insured persons, 550,000 of whom belong to the compulsory and 150,000 to the voluntary insurance. With an average annual wage of frs.1,200 per insured person, the insured amount of wages amounts to frs.840,000,000. The gross premium rate after deduction of half of the expenses of administration, which is borne by the Confederation, amounts to 3.63 per cent. of the wages. The Institution will, therefore, receive in premiums frs.30,492,000 per annum; of this amount, 2.88 per cent. of the wages, or frs.24,192,000, fall to the insurance against industrial accidents, and 0.58 per cent. of the wages, or frs.4,872,000, to the insurance against non-industrial accidents, and 0.17 per cent. of the wages, or frs.1,428,000, to that half of the administrative expenses which is to be made up out of the premiums. Of the total amount, the employers pay frs.19,008,000, or 62 per cent.; the insured, frs.8,320,000, or 27 per cent.; and the Confederation, frs.3,163,500, or 11 per cent. By adding frs.261,000 for the Insurance Court which is to be created, we obtain an annual total expenditure for the Confederation of frs.3,434,500 (about 2 per cent. of the total Federal expenditure in the year 1911).

one month after confinement, and is attributable to a formal resolution which the two Houses of Parliament adopted in discussing the Act of 1902 (*cf.* *Atti parlamentari*, Chamber of Deputies, sittings from 18th–23rd March, 1902; Senate, sitting of 12th June, 1902). The preliminary work of organising a maternity fund began in the same year, and resulted in the Labour Office's publication: "*Basi tecniche di una Cassa di maternità*," (*Publicazione dell' Ufficio del lavoro*, Serie B., n. 2, 1904). A Government Bill was introduced into Parliament for the first time on 27th May, 1905 (*cf.* *Bollettino dell' Ufficio del lavoro* III., 1005), for the second time shortly before the conclusion of the Session on 20th December, 1907 (*cf.* *Bollettino* IX., 379), and for the third time, in a form containing no essential modifications, on 29th March, 1909 (*cf.* *Bollettino* XI., 744). The Committee of the Chamber of Deputies reported on 10th June, 1910 (*Bollettino* XIII., 1304), and gave the Bill the form which was afterwards adopted without amendment by both Chambers, and which became law on 17th July, 1910. A Decree of 26th November, 1911 \* (*Text Bollettino* XVII., 246), contains more detailed administrative provisions.

The Act provides for the establishment of a maternity fund, with its office in Rome, which is to be managed by the National Provident Invalidity and Old Age Fund for Workmen, as an independent branch. Every working woman to whom the Act of 10th November, 1907, applies, receives on the birth of a child, or in case of abortion (except intentional abortion) a grant of 40 lire in the first week after her confinement, 30 lire of which is paid for account of the fund and 10 lire for account of the State. The income of the fund consists of compulsory contributions, which amount to 1 lire for every working woman between 15 and 20 years of age, and 2 lire for every woman between 20 and 50 years of age, and which are paid half by the employer and half by the women, together with fines, legacies and donations. The gradation of the contributions according to the age of the person insured was adopted in order to protect the textile industry, and specially the silk industry, from too heavy a burden; out of over 100 women employed in the textile industry, 43.3 are between the ages of 15 and 20 years, whilst in other industries the percentage of women under 20 is not generally less than 37.71 (*cf.* "*La donna nell' industria italiana*," *Publicazione dell' Ufficio del lavoro*, Serie B., n. 5.; 1905). The co-efficient of fertility, however, amounts to 0.3 per cent. for girls aged from 15 to 20, and for women between 20 and 35 years of age to 8.4 per cent. In addition, many factory workers give up factory work on their marriage or at their first confinement, and thus lose the contributions paid in. For this reason, the third Government Bill differentiated the contributions, originally fixed at a uniform rate of 1.50 lire, in the manner given above. The report giving the grounds of the Bill issued by the Government reckons that there are 504,000 working women of child-bearing age (204,000 under and 300,000 over 20 years of age), and an average co-efficient of fertility of 45 per 1,000; that is to say, the average estimated expenditure of the fund amounts to 680,000 lire, whilst the monthly income exceeds 804,000 lire. The women's contributions are to be deducted by the employer from their wages. The right to benefit is neither transferable nor assignable. Agreements contrary to these stipulations, respecting the amount and payment of the benefit, are void. The right to

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\* Regolamento approvato con R. decreto, n. 1082, 26 novembre 1911, per l'esecuzione della legge 17 luglio 1910, n. 520, sulla Cassa di maternità. (Regulations for the administration of the Act No. 520, dated 15th July, 1910, with respect to the Maternity Fund, approved by Royal Decree No. 1382, dated 26th November, 1911.)

benefit expires within a year after the birth or miscarriage. A special committee is formed to administer the maternity fund, consisting of three members of the board of directors of the National Provident Fund, three representatives of employers, and three representatives of the women workers. The Minister of Agriculture, Industry and Commerce has to present to Parliament every year an account of the work of the fund. The National Provident Fund must advance the necessary sums for the foundation of the maternity fund and for its administration in the first year; these sums will be repaid, with interest of 4 per cent., in five yearly instalments. The Act came into force three months after the issue of more detailed provisions respecting the work and administration of the fund, and also of the administrative Order containing the rules in respect of fines—*i.e.* on 26th February, 1912.

[See also :—4.0 Switzerland.]

## 4.2. ACCIDENT INSURANCE.

**AUSTRALIAN COMMONWEALTH.** Compensation for seamen for injuries is regulated in Australia by the Act dated 13th December, 1909 (Title E.B. VII., p. 324, No. 5), or by the Act dated 18th December, 1911 (Text E.B. VII., p. 337, No. 16), which amended a Section of the former Act, to which objection had been raised by the High Court, which had declared the Act to be contrary to the constitution in the very first case in which it had been called upon to decide.

The Commonwealth Act is generally based on the British Workmen's Compensation Act of 21st December, 1906 (E.B. I., p. 18, No. 2; Introduction, p. LXXV.), which also includes seamen, and it supplements the defective provisions of the few Employers' Liability Acts of the several States [drawn up on the pattern of the British Employers' Liability Act of 1880 (*Ib.* p. LXV.)], which also included seamen (The South Australian Act, for instance, gave compensation only for accidents happening in port). The new Act thus fulfils the requirements of the Shipping Conference held in London in 1907, which demanded the inclusion of seamen in the Employers' Liability Acts or Workmen's Compensation Acts in the same way as in the British Act of 1906.

The operation of the Act (§4) comprises the employment of seamen (masters, officers, apprentices, pilots and other seamen), (a) on all ships in the service of the Commonwealth, other than the Naval or Military service, (b) on ships trading with Australia or engaging in any occupation in Australian waters, and being in the territorial waters of any territory which is part of the Commonwealth, (c) on ships engaged in trade and commerce with other countries or among the States. However, if ships of the kind mentioned under (b) or (c) are not registered in Australia the Act applies only to those members of their crews who have been shipped under articles of agreement entered into in Australia, and then only while the ships are subject to the law of the Commonwealth. (This restriction was incorporated in the Act in consequence of the above-mentioned decision of the High Court which had annulled §4 of the original Act of 13th December, 1909, which went much further and included internal inter-State and foreign navigation entirely.)

The amount of compensation is as follows :—

(a) In the event of death—

(1) If the seaman leaves dependants who were wholly dependent on his earnings : three years' earnings (but between £200 and £500) ;



(2) If the seaman leaves dependants who were partially dependent on his earnings: an amount corresponding to the injury to the dependants, to be fixed either by agreement or by arbitration, up to the amount of the aforesaid sum;

(3) If the seaman does not leave any dependants: the reasonable expenses of medical attendance and burial, not exceeding £30;

(b) In the case of total or partial incapacity: 50 per cent. of the average weekly earnings up to a maximum of 30s. (no compensation is payable the first week if the incapacity lasts less than two weeks; seamen under the age of 21 whose weekly earnings are less than 20s., receive 100 per cent. up to a maximum of 10s.).

The provisions relating to misconduct, to notification of accidents and to the obligation to give notice, to sub-contracting and re-insurance of the owner of the undertaking liable to pay compensation, resemble closely those of the British Act. Further provisions regulate cases in which an injured seaman is discharged or left behind in a foreign country, and the detention, by order of the Court, of ships belonging to persons liable to pay compensation who are domiciled abroad.

*AUSTRIA-HUNGARY: Austria.* By §1, paragraph 2, of the Act of 28th December, 1887 (R.G.Bl. 1888, No. 1), concerning accident insurance, all workers and industrial employees engaged in trades connected with building work or otherwise employed in connection with building operations are subject to compulsory insurance. This provision was interpreted in very various ways by the courts, and from this resulted uncertainty in practical working, the removal of which was earnestly desired. This object is now served by the Act dated 29th April, 1912 (Text E.B. VII., p. 350, No. 6) respecting accident insurance in the building trades, which is based on similarly worded motions introduced by the Deputies Löw and others (63 of the Appendices to the Shorthand Reports of the House of Representatives, XX1st Session) and Hudec and others (298 of the Appendices). The majority of the Economic Committee of the House of Representatives, however, introduced some restrictions into the text of the motions. While the movers demanded that the accident insurance should be extended to all building work, whether carried out in a workshop or on a building site (an opinion supported on the Committee by Deputy Skaret), the majority of the Committee took the standpoint which had also been supported by the Committee on Social Insurance during the debates on the Government Bill relating to social insurance, namely, that carpenters and slaters should be included in the insurance, whether working on the building site or in the workshop, while other builders' workmen such as joiners, plumbers, painters and fitters should be included only in so far as work done on the building itself was concerned. The House of Representatives accepted the proposal of the Economic Committee at the sitting of 27th March, 1912 (Shorthand Reports, p. 3091) with a few alterations in second and third reading. On 30th March the House of Lords also accepted in second and third reading the Bill passed by the House of Representatives. According to the present wording, the workers of all the principal trades in connection with building are subject, to the entire extent of the operations, to compulsory insurance; thus in particular, carpenters, scaffolders, stucco workers and slaters, whether employed on the building or in the workshop, and also the workers in trades accessory to the building trade, not specially mentioned in

the Act, such as decorators, etc., are included. On the other hand, the Act states expressly that insurance only applies to painters, glaziers, fitters, joiners, locksmiths and plumbers, in respect of work done on the building itself.

\* *Hungary.* §5 of Act XIX. of 6th April, 1907 (Text, E.B. II., p. 269, No. 2), authorises the Minister of Commerce to order the compulsory insurance referred to in §3 of the Act to apply, without regard to reciprocity, to subjects of those countries in which accident insurance has not been regulated by law. With this object in view, compulsory insurance has been extended to Roumanian, Servian, Bulgarian, Turkish and Montenegrin subjects employed within Hungarian territory by means of the Orders issued on 10th April, 1908, and 10th November, 1911 (Text E.B. VII., p. 226), the principal object of which is to prevent single undertakings situated near the frontier from engaging exclusively foreign labour for reasons of competition and for the purpose of avoiding the expense of labour insurance.

*FRANCE.* A Circular of the Minister of Labour, dated 15th October, 1910 (Title E.B. VII., p. 365, No. 14), supplements the regulations of the Ministerial Order of 23rd March, 1902, relative to the notification of accidents to be made to the labour inspectors by the Mayor's offices.

A Ministerial Order dated 19th November, 1910 (Title E.B. VII., p. 365, No. 15), exempts the financial transactions in connection with the Franco-British Convention with respect to industrial accidents dated 3rd July, 1909 (Text E.B. IV., p. 163), from the Chancellor's Office Fee of 2 per cent.

[See also under Great Britain and Ireland.]

Two Ministerial Orders dated 22nd December, 1910 (Title E.B. VII., p. 366, Nos. 18 and 19), have reference to the continuance of the premiums fixed for insurance companies dealing with industrial accidents, for the coming year, in the same way as for many years previously, and to the minimum table fixed for checking the mathematical reserves of societies insuring against industrial accidents.

In a Circular dated 30th March, 1911 (Title E.B. VII., p. 368, No. 34), the Minister of Labour instructs the industrial and mining inspectors to notify to the Courts the names of employers who, in contravention of §30 of the Act of 9th April, 1898, make deductions from the wages of their workers for accident insurance.

A Decree dated 22nd May, 1911 (Title E.B. VII., p. 369, No. 40), fixes for the year 1912 the quota of taxes to be contributed to the guarantee fund, in accordance with the accident insurance legislation.

§139 of the Financial Act, dated 13th July, 1911 (Text E.B. VII., p. 376, No. 54) places upon the mineowners the expenses of medical and hospital treatment for miners suffering from ankylostomiasis; in addition to this the miners must receive the daily allowance provided for in the Workmen's Insurance Act of 9th April, 1898, so long as they are under treatment.

An amending Act dated 13th July, 1911 (Text E.B. VII., p. 377, No. 56) supplements §9 of the Act of 29th December, 1905 (Text E.B. II., p. 24, No. 1), dealing with insurance against risks and accidents to seamen, by adding a fourth paragraph, according to which, in the event of the death of widows or orphans entitled to life annuities, their surviving relations in the ascending line shall come into the enjoyment of benefits, in accordance with the provisions of the first three paragraphs.

**GERMAN EMPIRE.** The German Imperial Insurance Office has sanctioned the following Rules for the prevention of accidents issued by the Trade Association of the Chemical Industry :—

DATE SANCTIONED.	SUBJECT.	TITLE E.B.	
		Vol.	Page.
7th Nov., 1911	General rules for the prevention of accidents	VII.	18, No. 1
"	Special rules for the prevention of accidents :		
"	From engine tools and machines .. ..	VII.	18, No. 2
"	From lifts .. ..	VII.	18, No. 3
"	In regard to the management of drums used by calico printers and other pressure vessels and apparatus .. ..	VII.	18, No. 4
"	In regard to protection from effects of gases and vapours .. ..	VII.	18, No. 5
"	In soap factories .. ..	VII.	18, No. 6
"	In mineral water factories.. ..	VII.	18, No. 7
"	In lacquer and varnish factories .. ..	VII.	18, No. 8
"	In industrial compression and liquefaction of gases .. ..	VII.	18, No. 9
"	From transport vessels for liquefied or compressed gases .. ..	VII.	18, No. 10
"	In the manufacture of black powder and explosives of a similar nature.. ..	VII.	18, No. 11
"	In trinitroluol manufactories .. ..	VII.	18, No. 12
"	In the manufacture of ammonia nitrate explosives .. ..	VII.	18, No. 13
"	In the manufacture of fuses of all kinds ..	VII.	18, No. 14
"	In the manufacture of fireworks .. ..	VII.	18, No. 15
"	In regard to loading of revolver shot, sporting and military cartridges with black-powder, and also the emptying of the same .. ..	VII.	19, No. 16
"	The manufacture of blasting caps.. ..	VII.	19, No. 17

**GREAT BRITAIN & IRELAND.** By a Convention concluded on 3rd July, 1909 (Text E.B. IV., p. 163), Great Britain and France mutually guaranteed equal treatment for their respective subjects with respect to compensation for accidents arising out of their employment. The ratification of this Convention was, however, subject to the condition that the British legislation relating to compensation for industrial accidents should be supplemented in certain points specified in the Convention with respect to their application to French subjects having met with accidents. After the British Government had been given the powers necessary for this purpose by an Act dated 20th October, 1909 (Title E.B. VI., p. 32, No. 2) an Order in Council dated 22nd November, 1909 (Text E.B. VII., p. 298), was issued containing administrative regulations, which were supplemented by the Workmen's Compensation Rules of 31st March, 1911 (Extract E.B. VII., p. 300, No. 3).

**NETHERLANDS.** The Act of 11th February, 1911 (Title E.B. VII., p. 37, No. 2), supplements §21 of the Widows of Officials Act of 1890, and §92 of the Accident Act of 1901 (Extract G.B. I., p. 296), which deal with the investment of funds in the State Insurance Bank.

Two further Decrees have been issued in pursuance of certain Sections of the Accident Act (principal Act, dated 2nd January, 1901; Extract G.B. I., p. 296; amending Act of 15th July, 1910, Text E.B. VI., p. 91), namely: (1) The Decree of 12th August, 1911, No. 275 (Title E.B. VII., p. 38, No. 7), amending the Decree of 18th June, 1909 (Title E.B. V., p. 130, No. 10), revising the Order relating to danger classes, co-efficients of risks, and the distribution of trades in danger classes, by altering the classification for the following trades:—The preparation of limestone, the painting of buildings, wagons, etc., wood-sawing, etc., die-cutting and engraving, mines, the manufacture of electric incandescent lamps by motor power, ship-painting, the loading and unloading of ships; (2) The Decree of 12th August, 1911, No. 276 (Title E.B. VII., p. 38, No. 8), modifying the frequently amended Decree of 5th December, 1902 (Title G.B. II., p. 543, No. 14), respecting the transfer and adoption of risks, by amending, in accordance with the new arrangements contained in the aforesaid Decree (No. 275), the tables for calculating the security to be offered by the institutions taking over the risk.

[See also:—2-191, Austria; 3, German Empire, Sweden; 4-0, Switzerland.]

#### 4.3. OLD AGE, INVALIDITY, AND SURVIVORS' INSURANCE.

**AUSTRALIAN COMMONWEALTH.** According to the Invalid and Old Age Pensions Act of 10th June, 1908 (Text E.B. III., p. 245), benefits granted by registered friendly societies, and payments made by trade unions, provident and other societies, are not counted in the income on which the calculation of pensions is based. An amending Act, dated 13th December, 1909 (Text E.B. VII., p. 324, No. 3), adds to these favoured benefits, allowances made under the Miners' Accident Relief Act of New South Wales.

For the purposes of the old age and invalidity insurance, £1,000,000 was granted by the Act of 4th August, 1909 (Title E.B. VII., p. 323, No. 2), £3,500,000 by the Act of 9th August, 1910 (Title E.B. VII., p. 324, No. 6), and £4,000,000 by the Act of 22nd December, 1911 (Title E.B. VII., p. 347, No. 17).

**BELGIUM.** A number of administrative regulations have been issued in connection with the Act dated 5th June, 1911 (Text E.B. VI., p. 151, No. 23), concerning the compulsory old age insurance of workers in mines. In pursuance of §3, paragraphs 1 and 2, of the Act, a Decree dated 28th August, 1911 (Title E.B. VII., p. 353, No. 1), fixes the official district of each one of the six approved insurance funds. A further Decree, dated 1st October, 1911 (Title E.B. VII., p. 355, No. 4), brings the organisation of the insurance funds for miners into harmony with the new functions entrusted to them by the Act of 5th June, 1911. By a Decree dated 13th December, 1911 (Text E.B. VII., p. 355, No. 5), the miners' delegates are given the benefits of the statutory insurance. By a Decree dated 20th December, 1911 (Title E.B. VII., p. 356, No. 6), the payment of the pensions (including those to be paid by the joint insurance funds), is centralised in the General Savings and Pension Fund.

The Act of 5th June, 1911, was itself amended by an Act dated 5th March, 1912 (Text E.B. VII., p. 360, No. 17). In accordance with §2 of the original Act, the contributions (the total amount of which must be at least 18frs. for insured persons under the age of 21, and at least 24frs. for insured persons above that age), must be paid in the first instance by the mineowner, if the workers do not comply with their obligation to pay, and then be deducted from

the wages of the workers. This provision is supplemented by the amending Act in such a manner that in Communes in which weekly payment of wages is customary, a uniform deduction from wages of 2.50frs. at one time may be made on account of all workers, without distinction of age, and this deduction may be increased by way of exception for the year 1912 to 3frs. For those workers who do not consent to the additional amount being paid in their name into the General Old Age Pension Fund, the amending Act provides for the repayment of this additional amount by the Insurance Fund (*caisse de prévoyance*).

*FRANCE.* The further development of the French old age pension insurance for workmen and peasants (Act of 5th April, 1910 ; Text E.B. V., p. 361), made necessary, first of all, the creation of a National Insurance Office attached to the Ministry of Labour (Decree of 16th July, 1910 ; Text E.B. VII., p. 364, No. 10).

By §§121, 122 and 123 of the Financial Act dated 13th July, 1911 (Text E.B. VII., p. 376, No. 53), the annual subsidy granted to the Communes for their participation in administering the Old Age Insurance has been fixed at 15c. per insured person, and for 1911, by way of exception, at 20c. per insured person ; and the Minister of Finance has been authorised to make an advance, to cover initial expenses, to the district and departmental funds provided for in §14 of the Act.

The Act of 5th April, 1910 (Text E.B. V., p. 361) has itself been considerably modified by two amending Acts (§§54 to 62 of the Financial Act of 27th February, 1912 ; Text E.B. VII., p. 386, No. 67, and the Act amending §62 of the said Financial Act, dated 11th July, 1912, Text E.B. VII., p. 391, No. 79). These alterations essentially consist in an increase of the pensions and a reduction of the old age limit.

According to the original Act, persons of either sex employed in industry, commerce, the liberal professions, and agriculture, and further, State employees and servants not entitled to pensions, as well as the employees of departments and Communes, receive under the conditions laid down by the Act an old age pension consisting of the compulsory and voluntary contributions of the insured person, the contributions of the employers, and the annual subsidies from the State. By the new provisions the age of 65 years hitherto fixed for enabling persons to claim the Government subsidy has been reduced to 60 years, and at the same time the amount of the Government subsidy has been increased from 60 to 100fr. In addition to this, every insured person who has brought up at least three children to the age of 16 years, now receives a bonus to the amount of 10frs. ; in the case of women, every officially verified birth of a child is further reckoned as one year of contribution. If an insured person has made contributions during less than 30 and more than 15 years, he is entitled to a grant of as many times 3.33frs. (formerly 1.50frs.) as there are years of contribution. Insured persons who, at the time when the Act came into force (3rd June, 1911), were at least 30 (formerly 35) years of age and who had belonged for at least three years to one of the classes falling under the Act, receive the Government subsidy when reaching the age generally required, even if they cannot yet show the stipulated number of years of contribution. A former provision, according to which the subsidy to insured persons who were over 45 years of age at the time when the insurance came into force was increased by Government grants, is repealed by the amending Act. The normal age for receiving the full old age pension is reduced from 65 to 60 years. Every insured person, however, is entitled to postpone the liquidation of this

pension to the 65th year. The liquidated old age pension is increased by the Government under certain conditions fixed by order, in which connection, however, the increase must not exceed roofrs (formerly 6ofrs.) of pension, and the old age pension three times the amount liquidated or, including the increase, 36ofrs.

According to the Old Age Pensions Act, farmers, tenant farmers (métayers), cultivators, craftsmen and small proprietors who, as a rule, work alone or with only one worker and with members of their families, may voluntarily insure themselves or the members of their families, if they fulfil the legal conditions, in which case the Government makes a contribution to the payments made by them; this contribution, which hitherto amounted to one-third of the payments made, is now increased to half of the same. Cultivators, mechanics and small proprietors, and further, according to the new provisions, also certain farmers, who on 3rd July, 1911, were over the age of 35 (formerly 40), having made their payments from that time onwards and having for at least three years belonged to one of the above-mentioned classes, receive, in addition to the pension acquired, a bonus equivalent to an annuity which would have resulted from a yearly payment of 12frs. (formerly 9) from the 35th (formerly 40th) year to the age which they had reached on 3rd July, 1911. This provision is now restricted in such a manner that the said bonus will not be granted for more than 25 years. For insured persons of either sex who have brought up at least three children to the age of 16 years, the amending Act increases the annuity resulting from the additional contribution, and the possible increase by one-tenth, but in no case by more than 10frs. Tenant farmers (métayers) who, on 3rd July, 1911, were more than 35 (formerly 40) years of age and who have made since then contributions to the same amount as the persons compulsorily insured, are also to receive the subsidy provided for the latter.

In other respects the above amendments of the Old Age Insurance Act which apply to compulsory insurance, are also to hold good in a corresponding manner to voluntary insurance.

A sweeping alteration is made in the provisions with respect to persons who have belonged successively to the two insurance classes. Accordingly a person who has been compulsorily and voluntarily insured during successive periods for more than 15 years, but who has not made during 30 years the contributions prescribed for compulsorily insured persons, receives for every year in which he has made contributions as a compulsorily insured person, the subsidy fixed for such persons. This subsidy, however, must not exceed, together with the annuity resulting from the additional Government contributions granted to voluntarily insured persons (see above), the maximum amount provided for those compulsorily insured. A person who has been successively insured in the two ways, and who has enjoyed the advantages of the transitory period, either as voluntarily or as compulsorily insured, is to benefit exclusively from the advantages of those provisions which applied to his case during the longer period. In case of equal periods, the regulations for compulsory insurance are to be applied to him.

The advantage hitherto enjoyed by the departmental and district funds, co-operating in the administration of the Old Age Insurance Act—namely, that they can be granted redeemable advances, is now extended also to the mutual benefit societies and the pension funds of trade unions.

Of great importance from a financial and technical point of view is the alteration made in paragraph 7 of §4. The procedure hitherto followed of capitalising the Government life interest grant was altered and replaced by the

obligation of the State to pay the Government contribution to every annuity each year after it falls due. The consequence of this arrangement is that, during the next few years, the Budget of the State does not appear to be overloaded (although at the expense of the future), notwithstanding the present considerably increased claim upon public means for old-age insurance.

The 1st August, 1912, was fixed as the date on which the provisions altered by the amending Act were to come into force. Certain insured persons (§4, paragraph 5, and §36, paragraphs 6, 7, and 8 of the Act dated 5th April, 1910), who caused their names to be entered before 1st January, 1913, according to the amending Act of 11th July, 1912 (Text E.B. VII., p. 391, No. 79), are entitled to make, with retrospective effect, the payments provided for obtaining the advantages of the transitory period.

By a number of Decrees, Orders, and Circulars, the titles of which are given in Titles E.B. VII., p. 366, No. 21 ; p. 367, No. 28 ; p. 368, Nos. 29, 30 (Text Bull. de l'Office du Travail XVIII., 366, detailed discussion, Reichs-Arbeitsblatt IX., 300), 31, 33 ; p. 369, Nos. 35, 37, 38 ; p. 372, No. 44 ; p. 390, Nos. 68-74 ; p. 391, Nos. 75-78, administrative regulations have been issued in pursuance of the original Act and its several amending Acts.

A Circular of the Minister of the Interior dated 6th March, 1910 (Title E.B. VII., p. 362, No. 1) extends, in connection with two previous circulars dated 16th April, 1906, and 14th July, 1908 (Title E.B., IV., p. 73, No. 7), the Decree of 3rd August, 1909, published in the *Journal Officiel* of 13th August, 1909, with respect to the drawing up of administrative regulations for the Act of 14th July, 1905 (Text F.B. IV., p. 377, No. 1), respecting compulsory assistance for the aged, infirm, and incurable.

By §40 of the Financial Act of 13th July, 1911 (Text E.B. VII., p. 373, No. 46), an alteration was made in certain provisions in the invalidity insurance of seamen (*cf.* Act dated 14th July, 1908, Text E.B. III., p. 358, No. 6) as regards workers employed on barges and other vessels not self-propelled.

**GERMANY : Bremen.** An Act dated 29th April, 1911 (Title E.B. VII., p. 207, No. 1), regulates old age and invalidity pensions for midwives. A midwife who has exercised her profession uninterruptedly for at least five years within the Government district of Bremen, is entitled from the age of 65 to a continuous annuity from Government funds. The pension amounts to at least 350m. per annum, and is increased for every contribution made by the midwife from the beginning of the sixth year (50 pfennig for every confinement) by 10pf. up to a maximum of 600m.

**GREAT BRITAIN AND IRELAND.** The Old Age Pensions Act of 1st August, 1908 (Text E.B. III., p. 158, No. 2), was amended by an Act dated 18th August, 1911 (Text E.B. VII., p. 303, No. 5). As is well-known, every British subject above 70 years of age who is in need of assistance is entitled, according to the original Act, to claim an Old Age Pension without any contribution on his part. The amount of the weekly payments depends on the amount of his income. This income is defined somewhat more definitely in §2 of the amending Act ; in future it is intended, on the one hand, to take account of the yearly value of any property which is invested or could be put to profitable use (for which purpose the yearly value is taken as one-twentieth of the capital value), while on the other hand, the value of the use of personal effects, up to the amount of £50, is not taken into consideration.

The legal conditions for receiving an old age pension are, according to the original Act, the following :—

- (1) The age of 70 must have been attained ;
- (2) Proof of being a British subject and of residence in the United Kingdom during the last 20 years ;
- (3) Proof that the yearly income does not exceed £31 10s.

The amending Act of 1911 now exempts British wives of aliens from the condition mentioned under (2) ; if such women are widows or their marriage dissolved at the time of the first payment of the pension, or if they have been legally separated from or deserted by their husbands for at least two years, it is assumed that they fulfil the legal requirements with respect to nationality ; in that case they are only required to furnish proof that they have resided within the United Kingdom at least for 12 years during the 20 years preceding the payment of pension. Residence is held to have been within the United Kingdom in the case of persons absent from the country in any service under the Crown and their wives or servants ; of seamen employed on registered vessels ; of persons born in the United Kingdom who have resided in the Channel Islands or the Isle of Man ; and of persons who, though absent from the country, have supported relations in the United Kingdom during their absence ; temporary absence from the country up to three months.

By the amending Act of 1911, the following alterations and extensions have been made in the provisions relating to the causes entailing the forfeiture of claims to pension (receipt of poor relief, idleness, lunacy, imprisonment without the option of a fine, detention in an inebriates' home) ; rules of law, according to which relief given to a wife or to a relative is treated as relief given to the person liable to maintain the wife or relative, are not to be taken into consideration in respect of disqualification for a pension ; persons entitled to pensions who have been sentenced to imprisonment for not more than six weeks are to be disqualified only for two years after their discharge from prison (hitherto ten years in all cases, without regard to the duration of the term of imprisonment) ; a sentence for drunkenness entails a suspension of the right to pension during six months.

Further provisions refer to the suspension of the payment of a pension during the period that the person entitled to it is absent from the country, and if the amount of the pension has not been claimed within three months ; to the examination of the legality of pension claims ; and to the penalties for unlawfully receiving pensions.

[See also :—4.0, Germany, Switzerland ; 4.2, Netherlands ; 4.5, Germany.]

#### 4.4. UNEMPLOYMENT INSURANCE.

**FRANCE.** Orders of the Minister of Labour,\* dated 25th June, 1910 (Title E.B. VII., p. 363, No. 7), 12th December, 1910 (Title E.B. VII., p. 336, No. 17), and 23rd June, 1911 (Title E.B. VII., p. 372, No. 43), fix in the usual manner the Government grants to be made to Unemployment Funds for the preceding six months.

**SWITZERLAND. Basle Town.** According to §6 of the Administrative Order of the 23rd April, 1910 (Text E.B. V., p. 312), membership of the State Unemployment Fund of the Canton of Basle Town, created by the Act of 16th December, 1909 (Text E.B. V., p. 155, No. 2), lapsed, amongst other reasons, through the member " becoming employed outside the Canton of Basle Town,



except in the case of the employment outside the Canton in an undertaking having its headquarters in the Canton of an insured member who continues to reside in the Canton." A resolution of the State Council of 3rd August, 1910 (Text E.B. VI., p. 227, No. 4) limited the above-named exception to cases in which the place of work is not more than 25 kilometers distant from Basle. A further resolution of the State Council of 13th December, 1911 (Text E.B. VII., p. 137, No. 2), admits of no exceptions whatever, but provides that membership shall cease in the case of permanent occupation outside the Canton of Basle Town, even though the insured person retains his domicile in the Canton.

The State Council, by resolution of 5th August, 1911 (Text E.B. VII., p. 136, No. 1), increased the daily allowance of insured unemployed persons, fixed by §12, paragraph 2, of the Administrative Regulations of 23rd April, 1910 (Text E.B. V., p. 312), in pursuance of the Act relating to the Unemployment Funds dated 16th December, 1909 (Text E.B. V., p. 155, No. 2), in a uniform manner by 80 centimes.

[See also : 4.0, Great Britain and Ireland.]

#### 4.5. INSURANCE OF EMPLOYEES AND OFFICIALS.

*FRANCE.* According to the Act dated 20th July, 1886/26th July, 1893, concerning the National Old Age Pension Fund, the pensions of the officials of the public administration not enjoying the benefit of the Civil Pension Act dated 9th June, 1893, had been restricted to a maximum amount of Fr.1,200 ; an amending Act dated 27th March, 1911 (Text E.B. VII., p. 368, No. 32), cancels this restriction.

By §§76, 77 and 84 of the Financial Act of 13th July, 1911 (Text E.B. VII., pp. 374-375, Nos. 48-50), the retirement pensions of several classes of Government employees have been increased.

*GERMANY.* The Employees' Insurance Act of 20th December, 1911 (German Text G.B. XI., p. 15, No. 7).<sup>\*</sup> The German private employees had endeavoured since the year 1901 to obtain better provision than was offered to them and their dependants by the workmen's insurance laws. In order to emphasise their wishes, they founded a Central Committee for promoting a Government pension and survivors' insurance, the membership of which rose within 10 years to 700,000. Since the year 1902 the settlement of the question of employees' insurance was urged every year in the Reichstag by all parties, by interpellations, motions and resolutions. In the year 1903, an official inquiry into the matter began. In two memorials (dated 14th March, 1907, Reichstag publications No. 226, 12th Legislative Period, 1st Session, 1907, and 11th July, 1908, Reichstag publications No. 986, 12th Legislative Period, I. Session, 1907-09) the Government took up a position in the matter without in any way binding itself. On the occasion of the first discussion of the Imperial Insurance Code in April, 1910, the representative of the Federated Governments (Shorthand Reports, p. 2502) was able to declare that the Imperial Ministry of the Interior was occupied with the drafting of an Act. The Draft Bill was completed towards the end of the

<sup>\*</sup> An English translation has appeared in the *Bulletin* of the Bureau of Labour, Washington, No. 107, and is also printed separately by the Department of Commerce and Labour ("Law relating to Insurance of salaried employees in Germany." Workmen's Insurance and Compensation Series, No. 4, Washington, Government Printing Office, 1913.)

same year and passed by the Prussian Ministry of State, was then submitted to public criticism. It appeared that the large majority of employees represented by the Central Committee considered the Bill, and the permanent Imperial Insurance Institute which it proposed to set up, a practical basis for the solution of the question of employees' insurance, while the minority, organised in the "Free Association," was in principle in favour of the extension of the system of invalidity insurance. In employers' circles opinions were divided; a small proportion was against every improvement; another group generally approved the Bill, some particular points excepted; larger circles, amongst which were also a number of Chambers of Commerce, thought that the question could be better solved by the development of the system of invalidity insurance. On 20th May, 1911, the Bill was submitted to the Reichstag (Reichstag publications No. 1035, 12th Legislative Period, II. Session, 1909-11), and on 5th December, 1911, it was unanimously passed, on the whole on the lines of the Government Bill.

The chief provisions of the Act are the following:—

The following persons over the age of 16 are subject to compulsory insurance\* :—

- (1) Employees in leading positions;
- (2) Industrial employees, master workmen, foremen, and other employees in a similar important or superior position, and office employees (not included in the draft Bill) in so far as they are not employed in work of a lower class or purely mechanical work, in all cases in which such employment is their chief occupation;
- (3) Commercial employees and chemists' assistants (in the Bill commercial apprentices and chemists' apprentices were included also);
- (4) Members of the stage and of orchestras, without regard to the artistic value of their performances;
- (5) Teachers and tutors;
- (6) Persons employed on German sea-going ships, being captains, officers, members of the administrative staff, employees in high positions, if such employment forms their chief occupation.

It is a condition of insurance for all these persons that they are occupied as employees for payment, that their yearly earned income does not exceed M. 5,000, and that on joining the insurance they have not yet completed their sixtieth year. The Federal Council may extend the compulsory insurance generally also to persons who are similarly occupied on their own account, but without employing others (for instance, private teachers, nurses, etc.).

Persons who are employed exclusively in return for free board and lodging, and persons who, in accordance with regulations of the Federal Council, are temporarily employed, are exempt from insurance.

\* According to the preamble (Reichstag Publications No. 1035, 12th Legislative Period, II<sup>nd</sup> Session, 1909-11, pp. 63 *et seq.*), approximately 418,000, or, in round figures, 37 per cent. of the employees were not subject to the Imperial Invalidity and Survivors' Insurance. In the preamble the total number of persons coming under the Employees' Insurance Bill, including the persons subject to the Invalidity and Survivors' Insurance, but without taking into consideration the age and amount of salaries, was estimated at 2,007,430 persons (1,585,738 male and 420,692 female persons). The number of employees subject to compulsory insurance above 16 years and under 60 years of age, was given as 1,836,236 (1,453,547 male and 382,689 female persons). On the basis of new data a representative of the Government on the Commission (Reichstag Publications, No. 1198, 12th Legislative Period, II<sup>nd</sup> Session, 1909-11, p. 4) estimated the number of employees subject to compulsory insurance on the 1st January, 1912, at 1,832,705 (1,349,825 male and 482,880 female employees), as against the estimate of the opposition, which was 2,345,000.

The following are also exempt from the insurance: Government and communal employees, clergymen and teachers with a claim to pension and survivors' annuities or during their professional education; employees of the railway, postal and telegraph services, with a claim to provident benefits; military persons; persons who teach for payment during their scientific training for their profession; doctors, dentists, veterinaries in their professional capacity.

Any person retiring, after having paid contributions for at least six (Draft Bill 60) months, from an occupation subject to compulsory insurance, is entitled to continue the insurance voluntarily.

The insurance may also be continued voluntarily while a person is staying abroad. The benefits\* are the same as in the Bill—namely, pensions, survivors' allowances, medical treatment, and certain benefits in kind. Any person proving that he is disabled (less than half capacity for work), or that he has reached the legally stipulated age (65 years), or any person who is unable to exercise his occupation, not perhaps permanently, but during more than 26 weeks, is entitled to a pension. This pension is granted after the expiration of a waiting period of 120 months of contributions in the case of male insured persons, and of 60 months of contributions in the case of female insured persons, and amounts to one-quarter of the contributions made during such period, and to one-eighth of the remaining contributions. If, in the case of female insured persons, a claim is made after 60 monthly contributions have been paid out, but before 120 monthly contributions have been paid, the pension will amount to one-fourth of the contributions paid during the first 60 months of contribution. If it is shown that less than 60 monthly contributions have been paid, the waiting period for female insured persons is 90, and, otherwise, 150 months of contribution. By way of survivors' allowances the Act grants widows' and orphans' (for children under 18 years) allowances and widowers' allowances to necessitous husbands, if the insured wife of a disabled husband has maintained the family. It is a condition in these cases that the insured had passed, at the time of his death, a waiting period of 120 months of contributions (in the case of less than 60 months of compulsory insurance, 150), and that he has maintained his right to claim the allowance. The widow's and widower's allowance is two-fifths of the pension which the bread-winner received at the time of his death, or would have received in the event of his disablement; orphans receive one-fifth each and orphans who have lost both father and mother one-third each of the widow's allowance. The total amount of all the allowances must not exceed the pension referred to. Medical treatment may be instituted by the Imperial Insurance Institute in order to prevent the insured from becoming disabled in consequence of illness [according to the communication of a Government representative on the Commission (Reichstag publications, No. 1198, p. 23), 5 per cent. of the contributions, to the amount of about 7½ million marks, are provided annually for medical treatment]. Further provisions regulate the payment of contributions, the granting of life annuities, the cessation of and compensation for benefits, the temporary suspension of allowances, and the relation to other claims.

\* Cf. Preamble (Reichstag publications No. 1035, p. 116): "When criticising the published Bill it has been asserted on many sides that the pensions and allowances are insufficient, and are not in proper proportion to the contributions. How unjustified these assertions are will be seen from a comparison shown in the following Table, of the benefits and contributions provided in the Bill with the benefits and contributions provided in the Austrian Act":

According to the Austrian Law, we have :—					According to the Bill, the following Amounts would correspond to the Rates of Contribution in Column 2 as Pension Money.		
Wages Class.	Monthly Premium. Kr.	Total of first 120 Monthly Contributions. Kr.	Pension.		After 120 Monthly Contributions. Initial Amount (= $\frac{1}{4}$ of Col. 3). Kr.	Annual Increase (= $\frac{1}{8}$ of Col. 2). Kr.	After 480 Monthly Contributions (= $\frac{1}{4}$ of Col. 3 $\times$ Col. 2). Kr.
			Original Basis. Kr.	Annual Increase. Kr.			
I	2	3	4	5	6	7	8
I.	6	720	180	9—	450	180	450
II.	9	1080	270	13.50	675	270	675
III.	12	1440	360	18—	900	360	900
IV.	18	2160	540	27—	1350	540	1350
V.	24	2880	720	36—	1800	720	1800
VI.	30	3600	900	45—	2250	900	2250

The amount of the pension and of the survivors' allowance, after 10, 25 and 50 years of contribution, for every twelve months of contribution is (ib., p. 115) :

Designation.	WAGES CLASS.	ANNUAL AMOUNT IN MARKS									
		Of the Pension.		After expiration of an Insurance Period of—				Of every Orphan's Allowance.			
		10 Years.	25 Years.	50 Years.	10 Years.	25 Years.	50 Years.	10 Years.	25 Years.	50 Years.	
A	More than 550	88	84	144	19.20	33.60	57.60	3.84	6.72	11.52	
B	550 " up to 850 "	96	168	288	38.40	67.20	115.20	7.68	13.44	23.04	
C	850 " 1150 "	144	252	432	57.60	100.80	172.80	11.52	20.16	34.56	
D	1150 " 1500 "	204	337	612	81.60	142.80	244.80	16.32	28.56	48.96	
E	1500 " 2000 "	288	504	864	115.20	201.60	345.60	23.60	40.32	69.12	
F	2000 " 2500 "	396	693	1188	158.40	277.20	475.20	31.68	55.44	95.04	
G	2500 " 3000 "	498	871.50	1494	199.20	348.60	597.60	39.84	69.72	119.52	
H	3000 " 4000 "	600	1050	1800	240.00	420.00	720.00	48.00	84.00	144.00	
I	4000 " 5000 "	798	1396.50	2394	319.20	558.60	957.60	63.84	111.72	191.52	

## CLIV.

The means\* are provided by contributions to be paid in equal shares by the employer and the insured. These contributions are graduated as follows :

WAGES CLASS.	ANNUAL EARNINGS IN MARKS.			MONTHLY CONTRIBUTION IN MARKS.
A	up to 550			1·60
B	Above 550	..	850	3·20
C	..	850	.. 1150	4·80
D	..	1150	.. 1500	6·80
E	..	1500	.. 2000	9·60
F	..	2000	.. 2500	13·20
G	..	2500	.. 3000	16·60
H	..	3000	.. 4000	20·00
J	..	6000	.. 5000	26·60

The persons subject to the insurance must allow their half share of the contributions to be deducted from their wages ; no other mode of recovering the contributions on the part of the employer is permitted. Receipt is obtained by the affixing of stamps.

The insurer is the Imperial Insurance Institute for Employees to be established in Berlin—a public authority with legal competency, administered by the Directorate, the Board of Administration, the Benefit Committees, and the representatives (Vertrauensmänner). In order to give to the parties concerned a certain influence in the management, the Commission and the Reichstag decided on two points : (1) that the Directorate should consist, in addition to the President and the necessary number of official members in office, of two representatives each of the insured employees, and of their employers (unofficial members), provided that when resolutions are taken the official members must always be in a majority ; and (2) that the Board of Administration must be consulted with respect to the appointment of the official members and of the higher officials provided for in the Budget. The Board of Administration consists of the President of the Directorate and of at least 12 employees selected from amongst the representatives, and 12

\* In the preamble the burden upon German economic life in consequence of the employees' insurance was estimated at 150 million marks. The expenses of the existing social insurance in the year 1909 were as follows :—

At the charge of the Empire .. ..	51·5 million marks
.. .. employers .. ..	415·6 ..
.. .. employed .. ..	343·6 ..

Total .. .. 810·7 million marks.

The increase in the expenses above mentioned, which may be expected in consequence of the coming into force of the survivors' insurance and of the extension of the sickness insurance and of the introduction of the employees' insurance, was estimated in the preamble as follows (Reichstag publication No. 1035, p. 80) :—

For the Empire .. ..	by 27·0 million marks to 78·5 million marks
.. .. employers .. ..	118·5 .. 534·1 ..
.. .. employed .. ..	138·5 .. 482·1 ..

Total .. .. 284·0 million marks to 1094·7 million mks.

OR

For the Empire .. ..	by 52·4 per cent.
.. .. employer .. ..	28·5 ..
.. .. employed .. ..	40·3 ..

i.e. an Average of .. .. 35 per cent.

of their employers, and possesses, in addition to its chiefly advisory functions, the right to draw up the estimates and to audit the accounts. Several regulations which were incorporated in the Act by the Reichstag were inserted for the purpose of protecting the employees from the infliction of penalties on the part of the employers by reason of their work on the Board of Administration. The Benefit Committees, which represent the local organs of the new insurance, and which are called upon to decide independently on the most important questions (fixing, assigning, withdrawal, and suspension of the insurance benefits; receiving applications for instituting curative treatment; clearing up facts and advising the Imperial Insurance Institute in such cases; giving information), are constituted as required by the Imperial Insurance Institute with the approval of the Federal Council. They consist of a managing chairman appointed by the Imperial Chancellor, at least one Vice-President, and at least 20 Assessors elected from amongst the representatives of the insured and their employers, whose participation is obligatory in certain cases, while in other cases it is optional. The representatives, a new feature of the social insurance legislation of the German Empire, and who may also include women, elect the Assessors for the Benefit Committees and for the Board of Administration and also for the Arbitration Courts and the Supreme Arbitration Court; they must fulfil all the duties entrusted to them, and also communicate to the Benefit Committees without special instructions all facts which may have come to their knowledge. Their number is six for every district of the lower administrative authority, and may be increased by two for every further 10,000 or fraction of 10,000 insured persons, if more than 10,000 reside within the district. Half their number is elected from amongst the insured persons not being employers and half from amongst the employers of the insured employees.

The judicial authorities of higher instance are the Arbitration Courts and the Supreme Arbitration Court, the Assessors of each of which to the number of at least 12 (men only), are also elected equally from amongst employers and employees.\*

Finally, the Act regulates in a detailed manner the much disputed question of private and publicly authorised pension funds. As regards the private pension funds, a distinction is made between Extra Benefit Funds (Zuschusskassen) and substitute funds (Ersatzkassen). Extra Benefit Funds are factory, industrial, domestic, marine and similar funds established only for the employees coming within the operation of the Act, or which have separated

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\* The chapter "Other Regulations" contains the following provisions respecting the relations of the Employees' Insurance to foreign legislation.

§362. In so far as other States have adopted provident measures corresponding to the Employees' Insurance, the Imperial Chancellor may arrange, with the consent of the Federal Council, while safeguarding mutuality, to what extent these measures shall be regulated according to the said Act or according to the provisions of the law of the other State, for industries which overlap from the district of one State into that of the other, and for insured persons who are temporarily employed within the district of the other State.

In the same way, with corresponding mutuality, the insurance of subjects of a foreign State may be regulated in deviation from the provisions of this Act, and the administration of the provisions of the one State may be facilitated within the district of the other State. In such arrangements the obligation of the employer to contribute, as it exists in this Act, shall not be diminished or removed. The said arrangements shall be communicated to the Reichstag.

§363. The Imperial Chancellor may order, with the consent of the Federal Council, that subjects of a foreign State and their legal successors shall be given the right to make good their claims.

the administration of that portion of their assets which is intended for the employees' insurance and which pay the contributions out of their own means, in which case the employers make contributions equivalent to at least half the legally stipulated contributions. The Extra Benefit Funds are allowed to set off the legal insurance benefits against their invalidity, old age and survivors' allowances. The same holds good for certain benevolent and insurance institutions. Substitute Funds are those in which membership is considered equivalent to the legal insurance; the Federal Council may admit insurance institutions of this kind if their benefits are at least equivalent in value to the legal insurance benefits and are guaranteed to such an amount.

As the date for the coming into force of those provisions of the Act relating to the arrangements necessary for the administration of the insurance, the date of publication of the Act was fixed, namely, 28th December, 1911. The date when the other provisions take effect was fixed by an Imperial Decree of 8th November, 1912 (Reichstag publications, 1912, No. 60, p. 533), with the consent of the Federal Council, for 1st January, 1913.







**Resolutions**  
of the  
**VII<sup>th</sup> Delegates' Meeting**  
of the  
**International Association for Labour Legislation**  
(Zürich, 10<sup>th</sup>—12<sup>th</sup> September 1912).

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**Survey:**

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|---|---|
| 1. Publication of Reports.                              | 17. The Truck System and Deductions from Wages.   |
| 2. Finances.  | 18. Home Work.  |
| 3. Bulletin of the International Labour Office.         | 19. Machine-made Swiss Embroidery.  |
| 4. New National Section.                                | 20. List of Industrial Poisons.   |
| 5. Cooperation with other International Associations.   | 21. Lead.   |
| 6. Next Delegates' Meeting.                             | 22. Handling of Ferrosilicon.   |
| 7. International Conventions.                           | 23. Principles for the Protection of Persons employed in Mining, the Construction of Tunnels, Stone Quarries etc., on an International Basis. |
| 8. The Administration of International Labour Treaties. | 24. The International Prevention of Anthrax amongst Industrial Workers and of Mercurial Poisoning in Fur-cutting and Hat-making.              |
| 9. Child Labour.  | 25. Work in Caissons.   |
| 10. Saturday Half-holiday.                              | 26. Diving Operations.  |
| 11. Hours of Labour in Continuous Industries.           | 27. International Statistics of Morbidity and Mortality amongst the Working Classes.  |
| 12. Protection of Railway Employees.                    | 28. Treatment of Foreign Workmen under Insurance Legislation.   |
| 13. Protection of Dock Workers.                         |   |
| 14. Hygienic Working Day.                               |   |
| 15. Workmen's Holidays.                                 |   |
| 16. Legal Relations between Employers and Employed.     |   |

**1. Publication of Reports.**

The Bureau is requested to communicate with the national sections in order to seek means of simplifying and expediting the publication of the reports presented to the Delegates' Meeting.

## **2. Finances.**

I. The Delegates' Meeting acknowledges with satisfaction the reports of the Bureau, the Treasurer, and the International Labour Office and thanks them heartily for their activity.

II. The Treasurer's accounts, vouchers, and cash have been audited and found correct.

The Delegates' Meeting wishes to express to the retiring Treasurer, Mr. Councillor Wullschleger, cordial appreciation of his past services.

III. The Budget for 1912 and 1913 is approved.

## **3. Bulletin of the International Labour Office.**

The Delegates' Meeting thanks the British Government most cordially for the subvention granted to the International Labour Office, which has enabled the Office to bring out the English Bulletin in the same form as the French and German Bulletins, and to cover the expenses out of the grants from countries using the English Edition.

In view of the fact that under present circumstances the English Edition must, in the interests of efficiency, be translated and printed in an English-speaking country, the Delegates' Meeting approves the arrangements made by the Bureau in this respect.

The Delegates' Meeting, nevertheless, hopes to procure considerable increases in the contributions of English-speaking countries towards the International Association and the International Labour Office, by the foundation of new Sections, by the support of further Governments, and by increases in existing Government subventions.

## **4. New National Section.**

The Delegates' Meeting welcomes the foundation of a Section in Finland and approves its statutes.

## **5. Cooperation with other International Associations.**

I. The Delegates' Meeting instructs the Bureau to discuss with the Presidents of the International Associations on

Unemployment and on Social Insurance, steps to promote social reform, tending to facilitate the work of the three Associations serving its ends. The Delegates' Meeting requests the Bureau, in this connection, to see that the autonomy of the International Association for Labour Legislation, and the liberty to choose its branches of work and the manner of carrying them out, shall be guaranteed, and that the relations of the national Sections with the International Association shall not be interfered with in any respect. The Bureau is requested to report to the next Delegates' Meeting on the result of the negotiations in order that resolutions may be adopted on the matter. But the Bureau is authorised to co-operate at once, subject to the above conditions, with the two other Associations.

II. The Bureau is authorised to enter into relations with the Bureau of the International Home Work Congress with a view to co-ordinating the efforts of the two organisations.

### **6. Next Delegates' Meeting.**

The Delegates' Meeting resolves that the VIII<sup>th</sup> Delegates' Meeting shall be held at Berne in 1914.

### **7. International Conventions.**

I. The Delegates' Meeting ratifies the steps taken by the Bureau.

II. The Bureau of the International Association is instructed to thank the Swiss Department of Industry very cordially for the intention they have expressed of recommending to the Swiss Federal Council to convoke, at the request of the Association, a second international conference on labour legislation.

III. The Bureau of the International Association is instructed to express to the Spanish Government the thanks of the Association for having introduced the legal prohibition of the night work of women.

IV. The Delegates' Meeting expresses most cordial thanks to the Governments of New Zealand and the Union of South Africa for their adhesion to the international convention of Berne respecting the prohibition of the use of white (yellow) phosphorus in the match industry; to the Hungarian Government for the prohibition of white phosphorus in the manufacture of matches; to the Federal Government of the United States for the prohibition of the importation and exportation of poisonous phosphorus matches and the imposition of a prohibitive tax; and to the Government of the Mexican Republic for introducing the prohibition likewise. The Association wishes on this occasion to thank the American Section again for their zealous work in promoting this legislation.

V. The Bureau is instructed to continue their exertions in those countries which have not yet signed the two Berne Conventions.

VI. The Delegates' Meeting requests the Bureau to draw the attention of the national Sections to the interpretation given in different countries to the Berne Conventions. The Bureau is recommended to insert in the quarterly reports particulars of information received from the national Sections on this matter.

## **8. The Administration of International Labour Treaties and of Labour Laws.**

I. The Delegates' Meeting invites the national Sections which have not yet done so, to submit the petition on the reform of official statistics to their Governments.

II. Since Art. 5 of the International Convention of 26<sup>th</sup> September, 1906, respecting the prohibition of the night work of women in industrial occupations, provides that the Governments should exchange through diplomatic channels their periodical reports on the administration of laws and orders concerned with the subject of the Convention, it is desirable that these reports should be published by the Signatory States in a form such as to make it possible for each of the Governments concerned to compare the standard of administration of the labour treaties in the other Signatory States.

III. In view of the fact that it is not possible to give a reply at present to some of the questions contained in paragraphs II and III of the proposals of the Bureau, the Delegates' Meeting requests the Bureau to enter into an agreement directly with the Governments on the subject of the elaboration of uniform statistics which will enable it to publish every four years the comparative report on the administration of labour laws.

With this object the Governments shall be invited to appoint an international commission of statistical experts and inspectors of labour.

IV. The Delegates' Meeting requests the national Sections to endeavour to persuade the Governments to appoint a larger number of women inspectors, and to arrange that at least one woman inspector shall be stationed in each centre of industry where the employment of women or children is general.

### **9. Child Labour.**

The Sections are requested to establish special Child Labour Committees with the duty of:

(a) supplying the information desired in the International Labour Office's „questionnaire“, and

(b) reporting, on the basis of this information, to the next Delegates' Meeting on ways and means of carrying out and extending the existing laws for the protection of children.

The Bureau shall prepare a comparative survey of these reports, and present it to the International Special Commission on Child Labour. This Commission shall submit definite proposals to the next Delegates' Meeting.

### **10. Saturday Half-holiday.**

In view of the fact that a free Saturday afternoon is necessary in order to give working women a real rest on Sundays;

that this institution alone is able to insure to the workers in every week a full day of family life;

that this Saturday half-holiday is already introduced wholly or partially for children, young persons and women, and even for adult workmen in the legislation of the German Empire, the United Kingdom, Greece, the Netherlands and Switzerland;

that the initiative of employers' and workmen's associations is endeavouring to promote the extension of the Saturday half-holiday in all industrial countries;

the Delegates' Meeting desires that the Saturday half-holiday for women workers and young persons should be made the subject of an international convention; and instructs the sub-commission on the maximum 10 hours working day to draw up, in conjunction with the Bureau, a report to be laid before the next Delegates' Meeting.

## **11. Hours of Labour In Continuous Industries.**

I. In view of the resolutions of the Lugano meeting and of the facts presented to the special Commission in London, the Delegates' Meeting is of opinion that the eight hour shift in continuous industries (industries working night and day) is the best shift system for such work and should be strongly recommended both from the point of view of the physical and moral welfare of the workers and in the social and economic interest of society generally.

II. The Delegates' Meeting is of opinion that the reports presented by the different national Sections have shown that in the iron and steel industries (blast furnaces, iron and steel works, rolling mills) the eight hour day is very necessary and is practicable for the shift workers.

The Delegates' Meeting instructs the Bureau to request the Swiss Federal Council to address to the Governments as soon as possible the request to arrange a conference of the interested States with a view to arriving at an international agreement as to the introduction of the eight hour day for those workers.

III. The Delegates' Meeting is of opinion that as regards glass works, the investigations are sufficiently advanced for the conclusion at any rate of an international convention on the basis of a working week of 56 hours on an average with an uninterrupted weekly rest of 24 hours. The Bureau is requested to choose the most favourable time for taking steps to this end.

IV. The Delegates' Meeting is of opinion that as regards other continuous industries the national sections should by investigations prepare the way for the introduction of the eight hour day or of a corresponding maximum week

(a) in continuous industries, where the working day (i. e. hours during which the workmen are required to be present at the works) exceeds 10 hours in 24, or where each set of men works more than six shifts per week,

(b) and in those industries (e. g. paper and pulp mills, chemical industries) where conditions seem to be ripe for the introduction of the three shift system in many countries.

## **12. Protection of Railway Employees.**

I. The Bureau is instructed to approach the railway administrations of all countries and request them to complete the tables respecting time on duty, hours of work, night's rest, leave, days of rest.

II. These tables shall then be submitted, together with any other results from inquiries now in progress, to a special Commission consisting of seven members. This Commission shall report before the next Delegates' Meeting assembles on:

(a) the diversity in the number of accidents amongst employees of the same class in different countries and if possible on the causes of this diversity;

(b) the differences in the organisation of the service (time on duty, hours of work, overtime, periods of rest, length of the day of rest, days of leave) and on the causes of these differences as far as they can be ascertained;



(c) institutions for the settlement of disputes respecting hours of work and wages in the railway service, and their success;

(d) the basis of statistics of sickness in the railway service.

III. The special Commission shall have authority to institute analogous investigations respecting the conditions of labour of telegraphists (including radio-telegraphists) and telephonists.

### **13. Protection of Deck Workers.**

The Bureau is instructed to request the national Sections of countries having seaports to make an investigation into the labour conditions of dock workers with special reference to the number of hours worked, and to report before the next Delegates' Meeting.

When instituting investigations into the hours of work of dock labourers the national Sections shall likewise have the duty of considering the question of maximum loads for dock labourers.

### **14. Hygienic Working Day.**

I. The Bureau is instructed to express the thanks of the Association to the Governments which have instituted special inquiries into the hours of labour in particularly unhealthy trades, and requests them, and other Governments to extend their inquiries to other unhealthy industries which are not mentioned in the list of May, 1912. The supplementary list shall be drawn up by the Bureau after consultation with the Permanent Council of Hygiene.

II. A special Commission shall be appointed by the Bureau in agreement with the national Sections and the Permanent Council of Hygiene, with the duty of drawing up a memorial containing particulars of existing legislation, of the hours of labour actually prevailing, and of the accident, sickness and mortality rates in all trades considered to be dangerous and unhealthy, and also proposals respecting the pro-

hibition of the employment of children, young persons and women, and the limitation of their hours of labour, and also of those of adult men. This memorial shall be submitted in proof to the next Delegates' Meeting.

### **15. Workmen's Holidays.**

The national Sections are requested to approach their Governments with a petition that they will complete the inquiries into workmen's holidays.

### **16. Legal Relations between Employers and Employed.**

The Delegates' Meeting requests the Bureau to ask the Sections whether and how far they are disposed to draw up a statement of the existing legal prescriptions and customs, in their countries, which regulate the individual and collective relations between employers and employed both in the course of and outside employment, and to communicate the results to the International Labour Office.

### **17. The Truck System and Deductions from Wages.**

I. In view of the abuses which have arisen, in a great number of industries, in respect of the use of disciplinary fines and deductions for damages, as well as of the numerous varieties in the truck system (payment in kind, or by means of bonds and tickets to be drawn on the establishment of the employer), of which the general result is to reduce the wages of unskilled workers and women, the Delegates' Meeting requests the national Sections to submit to their respective Governments, in accordance with the spirit of protective legislation already in force, legislative proposals as follows:

(a) In all industries, whether carried on in the factory or the home, the payment of wages in kind or by means of bonds payable in the form of goods on sale in establishments conducted by the employers shall be prohibited in principle.

(b) The whole system of fines and deductions for damage (the case of wilful and malicious damage only excepted) shall be

abolished. Provided that, even in the case of malicious damage, the employer shall not be authorised to impose any penalty without an order of the Court. Where the complete suppression of deductions does not appear to be immediately possible, such deductions shall neither be established nor exacted except by agreement either with the work-people concerned, or with their organisations where any such organisation exists.

(c) Materials (used in the process of manufacture) must be furnished gratuitously by the employer to the factory worker and the home worker alike. In the case of tools supplied to the worker by the employer any charge made by the employer shall be for cost price only.

The Sections are requested to forward by every means in their power the drafting and discussion of Bills embodying the desire expressed by the 'Delegates' Meeting.

II. In certain countries there exist Pension and Thrift funds to which workmen and employees are compelled to subscribe. In case of annulment of their engagements for any cause, they lose the rights which they have acquired by the payment of these subscriptions. The Delegates' Meeting recommends the passing of laws securing to workmen compelled to pay these subscriptions the repayment of all sums contributed by them, should they be dismissed before they have acquired a right to pension.

III. The Delegates' Meeting requests, in addition, that legislative steps should be taken to remove the abuses which have arisen in connection with the building of working men's dwellings erected in order to deprive the workman of the exercise of rights with which legislation has invested him for the protection of his interests.

## **18. Home Work.**

The Delegates' Meeting declares again most emphatically, in view of the fresh studies and experimental inquiries made during the two years last past, that the miserable conditions of a large proportion of the home workers is caused especially

by their absolutely insufficient wages, and that no improvement can be hoped for so long as means are not found to raise wages.

To this end the Delegates' Meeting recommends again:

I. The organisation of home workers in trade unions and the conclusion of collective wage agreements. The meeting regards the unfettered right of combination as the necessary basis of such collective agreements. In countries where collective agreements are not yet legally recognised under existing law, recognition should be secured in such a manner as to ensure their legal validity and their extension when required to home workers in the same occupations who were not originally concerned in the conclusion of the agreement. The Delegates' Meeting urges the national Sections to get into touch with existing organisations of workers with a view to promoting the conclusion of collective agreements with employers and employers' federations.

II. The adoption by legislation of the principle that wage agreements for insufficient amounts or of an usurious nature should be null and void, and that the conclusion of such agreements should be subject to penalties. The meeting regards this principle as essential, but at the same time, it recognises that the difficulties of its application are such as to prevent its adoption from being in any degree a practical solution of the problem;

III. The Delegates' Meeting believes that any legislation in favour of home workers will be ineffective so long as it is not founded on minimum rates fixed by wages boards constituted according to the following principles:

(1) The board shall be composed of an equal number of employers and employees, chosen generally by the parties or, if this is impossible, by bodies acting on their behalf or failing these, by the Government.

The President shall not be an employer or an employee and shall be elected by the board. The Government shall appoint him in case of disagreement. He shall have the casting-vote;

(2) The minimum wage shall be so fixed that a home worker of ordinary capacity may earn as time wage a sum approximately equal to fair wages paid in factories and workshops where similar trades are carried on in the town or district. The wage must be at least high enough to ensure to the worker under normal living conditions sufficient food and healthy housing;

(3) The board shall fix officially the minimum wage and publish it at once;

(4) If possible the board shall establish a scale of minimum wage rates for all the different operations of the trade;

(5) To the amount of wages must be added the cost of tools and materials furnished by the worker the value of time wasted, etc.;

(6) The minimum wage must be paid to the worker net without any deduction in favour of employer or middleman;

(7) If collective agreements exist in a trade, the minimum wage board must endeavour to extend the benefits of such collective agreements to all home workers also;

(8) For operations not included in the scale named under (4) the employer must prove in each particular case coming before the board that the conditions allow the average worker to earn at least the minimum time wage.

Disputes shall be settled by the wages boards;

(9) The board shall establish likewise scales of payment, and if possible minimum wages, for the apprentices in the trade, even where the apprentices are employed in workshops;

(10) Every violation of the law shall constitute a penal offence in each case and in respect of each worker concerned;

(11) Every trade organisation and any person interested in the trade and every society qualified for the purpose may inform the board that wages paid are below the minimum wage fixed for the trade. All such persons or organisations may take legal action;

(12) The minimum wages fixed by the local boards may be reviewed by a central commission of revision acting of-

ficially and without delay. This commission may modify and co-ordinate local decisions. The Governments shall select the members of such commission in equal numbers from the employers and employees composing the local boards.

IV. The Delegates' Meeting invites the Members of Parliament belonging to the International Association to introduce, or cause to be introduced, bills corresponding to the accepted resolution.

The national Sections are requested to engage in an energetic campaign in order to convince the public of the necessity of fixing minimum wages for home industries.

### **19. Machine-made Swiss Embroidery.**

The Delegates' Meeting still considers it desirable, under the provisions of the Lugano resolutions of 1910, to make uniform regulations for hours of work in the Swiss Embroidery Home-industry, and so far as possible to prohibit night work. But in view of the fact that since the Meeting of Lugano progress has been made in the introduction of automatic embroidery-machines in factories, and that similar machines will probably be introduced in the next few years to an increasing extent, the Delegates' Meeting considers it desirable that when regulations are made concerning hours of labour in small establishments, regulations should at the same time be made respecting hours of labour in factories using automatic machines. Such regulation is necessary because automatic machines, since tended by adult men only, may be run unlimited hours, both day and night, although there is no technical reason for such continuous labour; while the other machines tended by women also, are subject to certain legal limitations as to hours of labour.

The Bureau of the International Association for Labour Legislation is instructed (1) to draw the attention of the countries concerned (Germany, Switzerland, Austria, France, the United States, Italy, Russia) to the danger which threatens the entire embroidery industry as a result of overtime, and

even more of the continuous operation of the automatic embroidery machines, and (2) to request the Governments to take steps as soon as possible, by means of international agreements, to establish such uniform regulations as shall protect the interests of the embroidery industry.

The Bureau is instructed to inform the Sections of the different countries, within three months, of the steps it has taken in approaching the Governments with a view to the realisation of this object.

## **20. List of Industrial Poisons.**

I. The Delegates' Meeting expresses its thanks to the authors of the list of industrial poisons, Dr. Sommerfeld and Dr. Fischer, to the Institute of Industrial Hygiene at Frankfurt-on-Main, and to the member of the Permanent Council of Hygiene who reported on the matter, Dr. Teleky.

II. The Delegates' Meeting notes with pleasure that the list of industrial poisons has been translated into English, French, Italian and Finnish and hopes that other national Sections will follow this example.

III. The Permanent Council of Hygiene is requested to undertake a revision of the list of industrial poisons every four years.

## **21. Lead.**

I. *Painters and Decorators.* The Delegates' Meeting, noting with satisfaction that the use of colours containing lead in the painting of the interior of buildings has been prohibited in several countries, requests the national Sections to present reports on investigations which have been undertaken in their countries, and in particular on inquiries and experience relating to the use of colours not containing lead in the painting of metal in engineering workshops and similar works.

II. *Polygraphic Industry.* In view of the inadequacy of the information available respecting the danger of poisoning to which women are exposed when employed in type-setting,

whether by hand or by linotypes, the inquiry should be continued.

The French and British Sections are requested to undertake inquiries from the hygienic and medical point of view and to present the results to the next Delegates' Meeting.

III. *Ceramic Industry.* The national Sections are requested to report on the application in their countries of the regulations already presented to the Governments respecting hygienic conditions in the ceramic industry, with a view to the conclusion of an International Convention on the restriction of the use of lead in the ceramic industry.

## **22. Handling of Ferrosilicon.**

I. The Bureau is instructed to present the following principles to the Governments:

### *Principles for the prevention of risks involved in the conveyance of ferrosilicon.*

(1) Ferrosilicon — especially when prepared by the electrical method — gives rise to dangerous gases, in particular phosphuretted hydrogen and arseniuretted hydrogen, merely by the action of dampness in the air. This causes the risk of poisoning and explosion.

(2) In order to avoid poisoning and explosions, ferrosilicon should be secured against wet and dampness both in storing and transport. The ferrosilicon itself, the packing cases and packing materials must be dry, that is to say, free from water and also ice.

(3) Packing cases ought to be water-tight and so durably constructed that they cannot be damaged in transport. Unpacked ferrosilicon should only be kept in places secure against wet.

(4) The rooms in which ferrosilicon is stored or transported should be so constructed that they can be thoroughly ventilated and they should always be kept ventilated. In this connection care should be taken to see that the gases given off cannot penetrate to living rooms. Such rooms



ought consequently to have no connection whatever with rooms in which there is any ferrosilicon, packed or unpacked.

(5) Occupiers or persons who store or transport ferrosilicon should be required not only to adopt the necessary precautionary measures in a suitable manner, but also to instruct persons coming into contact with ferrosilicon as to its dangers.

II. Further inquiries ought to be made into the question of whether ferrosilicon containing less than 30 per cent. or more than 70 per cent. of silicon involves a risk of poisoning or not, and into the possibility of prohibiting the manufacture of ferrosilicon containing from 30 to 70 per cent. of silicon.

### **23. Principles for the Protection of Persons employed in Mining, the Construction of Tunnels, Stone Quarries etc., on an International Basis.**

I. *Ankylostomiasis*. In view of the serious danger caused by ankylostomiasis not only to miners and tunnel workers, but also to the whole working population of certain districts, and of the excellent results obtained by suitable supervision and treatment of the workers, it appears expedient that ankylostomiasis should be checked as soon as possible by means of an international agreement.

The Bureau is requested to appoint a sub-commission to draw up detailed provisions on the basis of the following principles, and to seek ways and means for bringing about an international agreement on this matter. The principles to be observed are:

(1) Shipping companies conveying emigrant workers from infected countries should be required to undertake the examination of such workers and the treatment of persons affected with the disease.

(2) Persons emigrated from affected areas should undergo medical examination with a view to the detection of ankylostomiasis, before being engaged to work in mines, the construction of tunnels, stone quarries, or brick works.

(3) In mines, tunnelling operations, stone quarries and brick works, a series of measures are necessary: as, for example, the collection and removal, in a manner not open to objection, of human refuse (regular and clean sanitary conveniences), the exercise of special cleanliness, dry workplaces, medical examination, and the provision of medical treatment and suitable remedies.

(4) It is necessary for the medical men entrusted with the examinations and supervision in question to be suitably trained.

II. *Protection of workers in mines, tunnelling operations and stone quarries.* The Bureau is requested to undertake, in consultation with technical experts in mining in the different countries, a comparative study of legislation for the protection of miners on the basis of the principles drafted by Dr. Fischer, and to submit a memorial on the subject to the next Delegates' Meeting.

Provisions respecting the protection of workers in tunnelling operations and stone quarries should be prepared in a similar manner, but drawn up separately.

#### **24. The International Prevention of Anthrax amongst Industrial Workers and of Mercurial Poisoning in Fur-cutting and Hat-making.**

The question of anthrax is referred to a sub-commission, which shall submit detailed proposals to the next Delegates' Meeting. In addition, a sub-commission shall submit to the next Delegates' Meeting detailed proposals respecting the prevention of mercurial poisoning in fur-cutting and hat-making.

#### **25. Work in Caissons.**

The Delegates' Meeting requests the Bureau to arrange for the Permanent Council of Hygiene to draw up, with the co-operation of experts, a memorial respecting the results of experience as regards work in caissons and showing how use may be made of such experience in practice.

This memorial shall be submitted to the next Delegates' Meeting and afterwards presented to the Governments.

## **26. Diving Operations.**

The Delegates' Meeting requests the Bureau to arrange for the Permanent Council of Hygiene to draw up, with the co-operation of experts, a report on the possibility and desirability of establishing international regulations for diving operations.

## **27. International Statistics of Morbidity and Mortality amongst the Working Classes.**

I. The Bureau is requested to present to the next Delegates' Meeting, with the co-operation of the national Sections and of the Permanent Council of Hygiene, a report on the essential differences in the morbidity and mortality statistics relating to the working classes in the different trades and in the different countries, and to make proposals on the question of how these divergencies can be removed.

II. In addition, the national Sections are requested to report not later than 1<sup>st</sup> July 1913, for the next Delegates' Meeting, on the methods of compiling, and the present position as regards, morbidity and mortality statistics relating to the working classes.

III. The Delegates' Meeting recommends that the aim of these reports should be especially the establishment of a uniform classification of the causes of death in the different occupations, in order that the Governments may adopt it as the basis of uniform statistics of mortality by trades.

## **28. Treatment of Foreign Workmen under Insurance Legislation.**

I. In connection with the resolutions adopted by the Delegates' Meeting at Basel (1901 and 1904), Geneva (1906), Lucerne (1908) and Lugano (1910) respecting the treatment of foreign workers under Insurance Legislation, the Dele-

gates' Meeting expresses thanks in the first place to the States and Governments which have given effect as far as possible in their national legislation and in international treaties to the principles recommended by the International Association.

The Delegates' Meeting again requests the American Section to continue its efforts to secure the passage in the several States of the Union of suitable laws for insurance against sickness and accident, which shall not discriminate against alien workers and thus carry out Resolution IX adopted at Geneva, and Resolution X adopted at Lucerne, and it thanks this Section for its activity in this matter.

II. The Governments represented at the meetings of the Association and the national Sections are again urgently recommended to see that these principles are developed and extended in sickness, accident, old age and invalidity insurance legislation.

The Delegates' Meeting draws the attention of the national Sections and the Governments concerned also to the various systems of maternity insurance. These systems should, as far as possible, fix a uniform period of benefit of 8 weeks, and also approximately equal maintenance benefits, in order that, in cases of differences of domicile and country of insurance, it may be easier to effect a transfer or make over the insurance in pursuance of international agreements.

III. As regards the execution of the wishes expressed under II, the Delegates' Meeting draws attention especially to the following points:

(1) As regards the benefits paid by insurance institutions to foreigners, no difference should be made between the subjects of a State and foreign workmen in all countries and branches of insurance in which the State does not directly supplement either the premiums or the benefits;

(2) But where grants are made out of public money, the benefits paid to insured foreigners and their dependants may be reduced in comparison to those paid to subjects of the

State at most by an amount corresponding approximately to such grants.

(3) The Governments should take the necessary measures by means of international agreements to render the provisions of No. 2 unnecessary.

(4) It should be made possible by international agreements to settle the claims of insured persons and their dependants living outside the country of insurance by a sum down or by paying the capital value of the benefit to a corresponding insurance institution in their place of residence abroad, or in any other appropriate manner.

IV. Failure to insure foreign workmen in the case of only temporary sojourn and employment in a country, is injurious both to the workmen concerned and also to their country of origin, and involves at the same time a disadvantage to the workers of the country in question on the labour market. The benefits of insurance should therefore be extended to such workmen.

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# Bibliographie des Bulletins des Internationalen Arbeitsamtes. Bibliographie du Bulletin de l'Office International du Travail. Bibliography of the Bulletin of the International Labour Office.

1912. No. 1.

## Index alphabétique français.

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## Zeitschriftenschau. — Périodiques. — Periodicals. No. 1.

(1. VII. 1911. — 31. XII. 1912.)

Abkürzungen, Abréviations, Abbreviations:  
A = Annalen des Deutschen Reiches für Gesetzgebung, Verwaltung und Volkswirtschaft, München.  
AA = Annals of the American Academy of political and social science, Philadelphia.  
AaE = Arzt als Erzieher, München.  
AB = Arbeit, Bochum.  
Ab = Abstinenz, Wien.  
ACath = Association catholique, Paris.  
ADGZ = Allgemeine Deutsche Gärtner-Zeitung, Berlin.  
AE = Archiv für Eisenbahnwesen, Berlin.  
AF = American Federationist, Washington.  
AFr = Arbeiterfreund, Berlin.  
AfV = Archiv für Volkswohlfahrt, Berlin.  
AG = Arbeitgeber, Berlin.  
AGH = Annalen d. Gewerbebeförderungsdienstes des k. k. Handelsministeriums, Wien.  
AgrW = Agrarpolitische Wochenschrift.

AGZ = Arbeitgeber-Zeitung, Wien.  
AHP = Annales d'hygiène publique et de médecine légale, Paris.  
AI = American Industries, of, by' and for the Manufacturers of the United States.  
AINP = Anales del Instituto Nacional de Previsión, Madrid.  
AiZ = Arbeiterinnenzeitung, Wien.  
AJ = Arbeiterjugend, Wien.  
AJS = American Journal of Sociology, Chicago and New York.  
AKS = Archiv für kaufmännische Sozialpolitik, Hamburg.  
ALLR = American Labour Legislation Review, New York.  
Am = Amelse, Charlottenburg.  
AM = Arbeitsmarkt, Berlin.  
AMH = Archiv für soziale Medizin und Hygiene, Leipzig.  
AN = Arbeitsnachweis, Troppau.

**ANRV** = Amtliche Nachrichten des Reichs-Versicherungsamtes, Berlin.  
**ANMI** = Amtliche Nachrichten des Ministeriums des Innern, Wien.  
**AO** = Association ouvrière, Paris.  
**APB** = American Photo-Engraver, Chicago.  
**APSR** = American Political Science Review.  
**APM** = Armenpflege, Wien.  
**AR** = Allgemeine Rundschau, Leipzig.  
**Arb** = Arbeiter, München.  
**ArbA** = De Arbeid, Amsterdam.  
**ArbG** = Arbejdsgiveren.  
**ArbP** = Arbeiterpräses, Berlin.  
**ARD** = Annales de la régie directe, Genève.  
**AS** = Arbeiterschutz, Wien.  
**ASC** = Arbeitsmarkedet, Kristiania.  
**ASF** = Action sociale de la femme, Paris.  
**ASG** = Annalen für Sozialpolitik und Gesetzgebung, Berlin.  
**ASP** = Annales des Sciences Politiques, Paris.  
**ASS** = Archiv für Sozialwissenschaft und Sozialpolitik, Tübingen.  
**Ass** = Assicurazione, Roma.  
**Asi** = Arbeiterstümme, Bern.  
**ASZ** = Allgemeine Steinsetzer-Zeitung, Berlin.  
**ATFin** = Arbeitsstatistik Tidskrift, Helsingfors.  
**AtW** = Arbeit, Wien.  
**AV** = Arbeiter-Versorgung, Grunewald-Berlin.  
**AVBl** = Aerztliches Vereinsblatt.  
**AW** = Arbeiterwohl, Münster.  
**AzS** = Azione sociale, Bergamo.

**B** = Blätter für Armenwesen, Graz.  
**BA** = Buchhandlungsangestellte, Wien.  
**BadBZ** = Badische Beamtenzeitung.  
**BAEA** = Bulletin of the American Economical Association.  
**Bak** = Bakkersbode, Amsterdam.  
**BALC** = Bulletin de l'association internationale pour la lutte contre le chômage, Paris.  
**BARb** = Bergarbeiter, Oberhausen (Rheinland).  
**BArg** = Boletín de la Union industrial argentina, Buenos Aires.  
**BAS** = Bulletin des assurances sociales, Paris.  
**BAYA** = Bureau-Angestellte und Volkstümliche Zeitschrift für praktische Arbeiterversicherung, Berlin.  
**BBL** = Bulletin of the Bureau of Labor, Washington.  
**BBZ** = Beamtenhauszeitung, Wien.  
**BCC** = Bulletin de colonisation comparée, Bruxelles.  
**BCCP** = Bulletin de la Chambre de commerce, Paris.  
**BCT** = Bulletin du Comité central du travail industriel, Bruxelles.  
**BDT** = Boletín del Departamento nacional del Trabajo, Buenos Aires.  
**BE** = Bollettino dell'emigrazione, Roma.  
**BEI** = Bollettino del lavoro per l'emigrante italiano in Europa, Ginevra.  
**BErst** = Bericht-Erstatter, Berlin.  
**Bew** = Bewegung, Amsterdam.  
**BF** = Boulangerie française, Paris.  
**BFIF** = Bulletin mensuel de la Fédération des industriels et des commerçants français, Paris.  
**BFN** = Bulletin de la Fédération nationale du bâtiment et des travaux publics, Paris.  
**BG** = Blätter für Genossenschaftswesen, Berlin.  
**BGew** = Baugewerkschaft, Berlin.  
**BHa** = Bauhilfsarbeiter, Hamburg.  
**Bhd** = Bauhandwerker, Magdeburg.  
**BHS** = Zeitschrift für das Berg-, Hütten- und Salinenwesen im preussischen Staate, Berlin.  
**BIH** = Bulletin des internationalen Hutarbeiterbundes, Altenburg.  
**BIInt** = Bulletin der Internationalen Union der Holzarbeiter, Berlin.  
**BIL** = Bollettino dell'ispettorato del lavoro, Roma.  
**BIT** = Bulletin de l'Inspection du travail, Paris.

**BK** = Bergknappe, Essen-Ruhr.  
**BKK** = Belrichsbrankenkasse, Essen-Ruhr.  
**BIA** = Blumenarbeiter, Berlin.  
**BIB** = Blaubuch, Berlin.  
**BLC** = Bulletin de la Société de législation comparée, Paris.  
**BISA** = Blätter für soziale Arbeit, Karlsruhe.  
**BLSA** = Bulletin des Ligues sociales d'acheteurs.  
**BMAT** = Bulletin médical d'accidents du travail.  
**BMP** = Bulletin des maladies professionnelles, Milan.  
**BN** = Basler Nachrichten, Basel.  
**BNCP** = Bollettino di notizie sul credito et sulla previdenza, Roma.  
**Bod** = Bodenreform, Berlin.  
**BMS** = Boletín del Museo Social, Barcelona.  
**BOT** = Bulletin de l'Office du travail, Paris.  
**BP** = Bulletin de la prévoyance, Bruxelles.  
**BPA** = Bulletin of the Pan-American Union, Washington.  
**BPB** = Bulletin de la participation aux bénéfices.  
**BR** = Belang en Recht, Amsterdam.  
**BRS** = Boletín del Instituto de Reformas Sociales, Madrid.  
**BRV** = Blätter für vergleichende Rechtswissenschaft und Volkswirtschaftslehre, Berlin.  
**BrZ** = Brauerarbeiter-Zeitung, Berlin.  
**BSEL** = Bulletin de la Société d'études législatives, Paris.  
**BSHO** = Bulletin des Sociétés d'habitations ouvrières, Bruxelles.  
**BSM** = Boletín de la secretaria de fomento, Mexico.  
**BSR** = Bollettino Statistico Románico, Bucarest.  
**BUL** = Bollettino dell'Ufficio del lavoro, Roma.  
**BUS** = Bulletin de l'Union syndicale, Paris.  
**BW** = Buchhändler-Warte, Berlin.  
**BZ** = Bildhauer-Zeitung, Berlin.

**C** = Concordia, Berlin.  
**CB** = Coopérateurs belges.  
**CFL** = Confederazione del lavoro, Milano.  
**CGD** = Correspondenzblatt der Generalkommision d. Gewerkschaften Deutschlands, Berlin.  
**Chf** = Chemische Industrie.  
**CI** = Cooperazione italiana, Milano.  
**CL** = Contratto di lavoro, Roma.  
**Co** = Coiffeurgehilfen-Zeitung, Bern.  
**Com** = Comune, Milano.  
**COV** = Central Orgaan voor de Ongevallen-Verzekering en andere werkliedenverzekeringen.  
**COW** = Centraal-Orgaan voor de Werklieden-Verzekering.  
**Cr** = Courier, Publikationsorgan des Deutschen Transportarbeiter-Verbandes, Berlin.  
**CRov** = Contemporary Review, London.  
**CrS** = Critica sociale, Milano.  
**Cs** = Charities.  
**CSA** = Correspondenzblatt für Schweizer Aerzte, Basel.  
**Ct** = Correspondent für die Arbeiter und Arbeiterinnen der Hut- und Filzwarenindustrie, Altenburg.  
**CultS** = Cultura sociale, Roma.

**DAGZ** = Deutsche Arbeitgeber-Zeitung, Berlin.  
**DAIZ** = Deutsche Arbeiterinnenzeitung, Berlin.  
**DBKZ** = Deutsche Bäcker- und Konditoren-Zeitung, Hamburg.  
**DBZ** = Deutsche Böttcher-Zeitung, Bremen.  
**DC** = Dominion of Canada, Labour Gazette (Dominion du Canada, Gazette du Travail), Ottawa.  
**Dek** = Dekorateur, Wien.  
**Dev** = Devotr, Paris.  
**DF** = Dokumente des Fortschritts, Berlin, Paris.  
**Dg** = Dagny, Stockholm.  
**DG** = Deutscher Gewerkschaftsführer, Wien.  
**DGZ** = Deutsche Gärtner-Zeitung, Berlin.  
**DHW** = Deutsche Handels-Wacht, Hamburg.  
**DivS** = Divenire sociale, Roma.  
**DIBZ** = Deutsche Industriebeamten-Zeitung.

DIZ = Deutsche Industrie-Zeitung, Berlin.  
 DJZ = Deutsche Juristen-Zeitung, Berlin.  
 DKA = Deutscher Kaufmann im Auslande, Hamburg.  
 DKZ = Deutsche Kolonial-Zeitung.  
 DI = Deutschland, Berlin.  
 DM = Deutscher Maler, Düsseldorf.  
 DMA = Deutscher Metallarbeiter, Duisburg.  
 DMH = Deutscher Maschinist und Heizer, Berlin.  
 DP = Documents du Progrès, Paris.  
 DSZ = Deutsche Städtezeitung, Berlin.  
 DTZ = Deutsche Techniker-Zeitung.  
 DWZ = Deutsche Wirtschaftszeitung, Berlin.  
 DZ = Dachdecker-Zeitung, Frankfurt a. M.  
 DZch = Deutscher Zeichner, Berlin.

E = Economist, 'sGravenhage.  
 EA = Economista Argentino, Buenos Aires.  
 Ec = Economiste, London.  
 EcFr = Economiste français, Paris.  
 Eco = Economista, Firenze.  
 EcR = Economic Review, London.  
 EF = Epicerie française, Paris.  
 EI = Eiche, Berlin.  
 Eind = Eisenbahn und Industrie, Wien.  
 Eis = Eisenbahner, Wien.  
 EJ = Economic Journal, London.  
 ER = Edinburgh Review, London.  
 ERG = Editorial Railroad Gazette.  
 ES = España Social, Madrid.  
 ESF = Ekonomiska Samfundet i Finland, Helsingfors.  
 EngR = Eugenics Review.  
 Et = Etudes professionnelles, Paris.  
 EvFrZ = Evangelische Frauenzeitung.  
 Exp = Export, Berlin.  
 EZ = Oesterreichische Eisenbahnzeitung, Wien.

FCM = Fachzeitung für Civilmusiker, Berlin.  
 Fg = Fachgenosse, Berlin.  
 FH = Fabrik- und Handarbeiter, Burg.  
 FinskT = Finsk Tidskrift.  
 FI = Fleischer, Berlin.  
 FR = Fortnightly Review, London.  
 Fr = Frauenbewegung, Berlin.  
 FrK = Freie Kunst, Berlin.  
 FrkZ = Frankfurter Zeitung, Frankfurt.  
 FS = Fachzeitung für Schneider, Berlin.  
 FSO = Fachblatt der Sattler und Riemer, Wien.  
 FT = Fédération typographique.  
 Ftd = Försäkringsföreningens Tidskrift.  
 FZ = Friseurgehilfen-Zeitung, Berlin.

G = Gewerkverein, Berlin.  
 GB = Gemeentebelangen, Amsterdam.  
 GEc = Giornale degli Economisti, Roma.  
 GemW = Gemeinwohl, Elberfeld.  
 Gen = Genossenschaft, Wien.  
 Ges = Gesundheit, Leipzig.  
 Gew = Gewerkschaft, Berlin.  
 GewR = Gewerberichter, Wien.  
 GewSt = Gewerkschaftsstimme, München.  
 GG = Gastwirtsgehilfe, Berlin.  
 GAG = Gewerbe- und Kaufmannsgericht, Berlin und Frankfurt a. M.  
 GI = Gleichheit, Stuttgart.  
 GLZ = Glaser-Zeitung, Karlsruhe.  
 GP = Graphische Presse, Berlin.  
 Gr = Grundstein, Hamburg.  
 GR = Gewerkschaftliche Rundschau für die Schweiz, Bern.  
 GrA = Grundstück-Archiv, Berlin.  
 GrR = Grande Revue, Paris.  
 GrSt = Graphische Stimmen, Köln.  
 GrW = Grafsch Weekblad, Amsterdam.  
 GrZ = Grenzboten, Leipzig.  
 Gsch = Gewerkschaft, Wien.  
 GS = Gewerkschaftsstimme (christl.), Aschaffenburg.  
 GR = Gesetz und Recht, Breslau.  
 GV = Genossenschaftliches Volksblatt, Basel.

Gw = Gegenwart, Berlin.  
 GZ = Gastronomische Zeitschrift, Hannover.

H = Handelsstand, Hamburg.  
 HA = Heimarbeiterin, Berlin.  
 Ha = Hafenarbeiter, Hamburg.  
 HG = Handel und Gewerbe, Berlin.  
 HGZ = Handlungsgesellenzeitung, Hamburg.  
 HI = Handel und Industrie, München.  
 Hl = Hilfe, Berlin.  
 Hm = Handschuhmacher, Berlin.  
 HM = Handelsmuseum Wien.  
 Ho = Hoteldiener.  
 HoA = Holzarbeiter, Köln.  
 HS = Huszadik Század, Budapest.  
 HT = Helvetische Typographia, Basel.  
 HZ = Holzarbeiterzeitung, Berlin.

I = International, London.  
 Ia = Industria, London.  
 IAV = Invaliditäts- und Altersversicherung im Deutschen Reich, Mainz.  
 IG = Internationales Genossenschafts-Bulletin, Zürich.  
 IM = Italia moderna, Roma.  
 IMR = Internationale Metallarbeiter-Rundschau, Stuttgart.  
 Ind = Industrie, Wien.  
 InstSoc = Institut de Sociologie (Solvay), Bruxelles.  
 IR = Independent Review.  
 IIG = Italica Gens, Torino.  
 IWS = Internationale Wochenschrift.

J = Jugendfürsorge, Berlin.  
 JA = Jugendlicher Arbeiter, Wien.  
 JBH = Jahrbücher für Berg- und Hüttenwesen.  
 JBI = Jahrbuch für die soziale Bewegung der Industriearbeiter, Berlin.  
 JCC = Journal des Chambres de commerce et d'industrie, Paris.  
 JdC = Journal des Correspondents.  
 JE = Journal des Economistes, Paris.  
 JK = Jogtudományi Közlöny, Budapest.  
 JLNZ = Journal of the Department of Labour, New Zealand, Wellington.  
 JNST = Jahrbücher für Nationalökonomie und Statistik, Jena.  
 Jog = Jogállam, Budapest.  
 JPR = Journal of Political Economy, Chicago.  
 JSA = Journal of the Society of Arts, London.  
 JSCL = Journal of the Society of Comparative Legislation, London.  
 JSSP = Journal de la Société de Statistique de Paris, Paris.  
 JSJS = Journal of the Royal Statistical Society, London.

K = Kampf, Wien.  
 KBl = Korrespondenzblatt des Verbandes der Tapezierer und verwandter Berufsarten, Berlin.  
 KD = Közigazgatási Döntvényvár, Budapest.  
 KF = Kultur der Familie, Berlin.  
 K/R = Kaufmännische Rundschau, Berlin.  
 Kor = Korrespondent für Deutschlands Buchdrucker und Schriftgiesser, Leipzig.  
 KP = Kommunale Praxis, Dresden.  
 KPl = Krankenpfleger, Berlin.  
 KPB = Kommunal-politische Blätter.  
 Kr = Kürschner, Berlin.  
 KR = Konsumgenossenschaftliche Rundschau.  
 KriBl = Kritische Blätter für die gesamten Sozialwissenschaften, Berlin.  
 KS = Közigazgatási Szemle, Budapest.  
 KStA = Keram- und Steinarbeiter-Zeitung, Köln.  
 KSW = Katholisch Social Weekblad.  
 Ku = Kupferschmied.  
 Kult = Kulturfragen, München.  
 KV = Konsumverein, Wien.  
 Kva = Kamer van Arbeid.



**L** = Lavoro, Milano.  
**LA** = Lederarbeiter, Berlin.  
**LdA** = Landarbeiter, Berlin.  
**LG** = Board of Trade Labour Gazette, London.  
**LHZ** = Lagerhalter-Zeitung, Leipzig.  
**LIT** = Bollettino della Lega industriale di Torino, Torino.  
**LL** = Labour Leader, London.  
**LMass** = Labor Bulletin of the Commonwealth of Massachusetts, Boston.  
**LZ** = Lederarbeiter-Zeitung, Berlin.

**M** = Mutualidad, Madrid.  
**Mas** = Masius' Rundschau, Blätter für Versicherungs-Wissenschaft, Leipzig.  
**MAY** = Monatsblätter für Arbeiterversicherung, Berlin.  
**MCBS** = Maandschrift van het Centraal Bureau voor de Statistiek, 'sGravenhage.  
**MCh** = Monatsschrift für christliche Sozialreform, Basel.  
**ME** = Monde Economique, Paris.  
**Medd** = Meddelanden från k. Kommerkollegii Afdelning för Arbetsstatistik, Stockholm.  
**MeddNA** = Meddelelser fra norsk Arbejdsgiverforening.  
**MeS** = Medicina social, Barcelona.  
**MJS** = Maanedsskrift for Sundhedspleje.  
**MM** = Mitteilungen des k. k. Finanzministeriums, Wien.  
**MGB** = Mitteilungen für die Gehilfenschaft des Buch-, Kunst- und Musikalienhandels, Wien.  
**MGM** = Mitteilungen des Gewerbehygienischen Museums, Wien.  
**MGSz** = Magyar Gazdák Szemléje.  
**MH** = Mitteilungen der Grossherzog. Hessischen Zentralstelle für die Landesstatistik, Darmstadt.  
**MIL** = Medici e Ispettorato del Lavoro, Cusana.  
**MIM** = Moniteur des intérêts matériels, Bruxelles.  
**Min** = Ministerialblatt der preussischen Handels- und Gewerbeverwaltung, Berlin.  
**MJ** = Municipal Journal, London.  
**MoR** = Moniteur Commercial Roumain, Bucarest.  
**MouvEc** = Mouvement économique, Bucarest.  
**MouvSoc** = Mouvement socialiste.  
**MR** = Medizinische Reform, Berlin.  
**MRev** = Monthly Review.  
**MRVK** = Mitteilungen des Rheinischen Vereins für Kleinwohnungswesen, Düsseldorf.  
**MS(Ann)** = Musée Social (Annales), Paris.  
**MSAM** = Mitteilungen des Statistischen Amtes München.  
**MSO** = Moniteur des syndicats ouvriers, Paris.  
**MSoc** = Mouvement social, Paris.  
**MTS** = Magyar Társadalomtudományi Szemle.  
**Mun** = Munkásügyi Szemle, Budapest.  
**MW** = Maurer, Wien.  
**MZ** = Mühlenarbeiter-Zeitung, Altenburg.  
**MZW** = Mitteilungen der Zentralstelle für Wohnungsreform in Österreich, Wien.  
**MZPL** = Mitteilungen der Zentralstelle der Preussischen Landwirtschaftskammern, Berlin.

**N** = Nation New York.  
**NA** = Nuova Antologia, Roma.  
**NAR** = North American Review, New York.  
**NB** = Neue Bahnen, Leipzig.  
**NC** = Nineteenth Century and after, London.  
**NCFR** = National Civic Federation Review, New York.  
**NFr** = Neues Frauenleben.  
**NL** = Neues Leben, Wien.  
**Not** = Notenstecher, Leipzig.  
**NR** = National Review.  
**NRC** = Nieuwe Rotterdamsche Courant, Rotterdam.  
**NT** = Nationalekonomisk Tidsskrift, Kjøbenhavn.  
**NT** = Nieuwe Tijd, Amsterdam.

**NTB** = Nő és Társadalom, Budapest.  
**NTF** = Nordisk Tidsskrift for Fængselsvæsen.  
**NY** = New York Department of Labor Bulletin, Albany.  
**NZ** = Neue Zeit, Stuttgart.  
**NZZ** = Neue Zürcher Zeitung, Zürich.

**O** = Outlook, London.  
**OeEZ** = Oesterreich. Eisenbahnbeamten-Zeitung, Wien.  
**OeGAZ** = Oesterreichische gewerbliche Arbeiterzeitung, Wien.  
**OeInd** = Bund Oesterreich. Industrieller, Wien.  
**OeM** = Oesterreichischer Metallarbeiter, Wien.  
**OeMH** = Oesterr. Maschinist und Heizer, Wien.  
**OeO** = Oesterreichischer Oekonomist, Wien.  
**OeR** = Oesterreichische Rundschau, Wien.  
**OeSa** = Oesterreichisches Sanitätswesen, Wien.  
**OeV** = Oesterreich. Verwaltungsarchiv, Wien und Leipzig.  
**OeUE** = Oesterreichisch-ungarisches Eisenbahnblatt, Wien.  
**OeUZ** = Oesterreichisch-ungarischer Zündwaren-fabrikant, Hofowitz (Böhmen).  
**OeVZ** = Oesterreichische Versicherungszeitung, Wien.  
**OeZOPV** = Oesterreich. Zeitschrift für öffentliche und private Versicherung, Wien.  
**OM** = Ouvrier mineur.  
**ON** = Obzor národohospodársky, Praha.  
**Or** = Organisations, Hamburg.  
**OSC** = Odoborové sdružení českoslovanské, Praha.  
**Ośw** = Oświata, Posen.  
**OV** = Ouvrier en voiture, Paris.

**P** = Proletarier, Hannover.  
**PB** = Patrie belge, Bruxelles.  
**PBZ** = Privat-Beamten-Zeitung, Magdeburg.  
**PCSI** = Progress civic, social, industrial, London.  
**PG** = Peuple, Genève.  
**PhH** = Photographischer Hilfsarbeiter, Berlin.  
**PJ** = Preussische Jahrbücher, Berlin.  
**Pm** = Patrimonium, Amsterdam.  
**PO** = Parlement et Opinion, Paris.  
**PoK** = Politik och Kultur, Helsingfors.  
**Pos** = Posamenter, Liestal.  
**Pr** = Přehled, Praha.  
**PRev** = Pokroková Revue.  
**PS** = Paix sociale.  
**PSQ** = Political Science Quarterly, Boston.  
**PVB** = Preussisches Verwaltungsblatt, Berlin.  
**PW** = Professionalnij Wjestnik, Petersburg.  
**Px** = Paix par le droit, Paris-Nîmes.

**QJ** = Quarterly Journal of Economics, Boston.  
**QP** = Questions pratiques de législation ouvrière et d'économie sociale, Paris.  
**QR** = Quarterly Review, London.

**R** = Regulator, Berlin.  
**RA** = Reichsarbeitsblatt, Berlin.  
**Ram** = Ramazzini, Firenze.  
**RAP** = Revue de l'action populaire, Paris-Reims.  
**RassM** = Rassegna mineraria, Torino.  
**RAT** = Revue des accidents du travail.  
**RBl** = Revue bleue, Paris.  
**RCol** = Rivista coloniale, Roma.  
**RCP** = Rivista dei comuni e delle provincie, Firenze.  
**RDC** = Rivista di diritto commerciale, industriale e marittimo, Milano.  
**RDIP** = Revue du Droit international privé.  
**RE** = Revue d'économie politique, Paris.  
**Re** = Recht, Wien.  
**RefAV** = Reformblatt für Arbeiterversicherung, Frankfurt a. M.  
**RefEcon** = Réforme économique, Paris.  
**RefSoc** = Réforme sociale, Paris.  
**ReuBord** = Revue économique de Bordeaux, Bordeaux.

*RevC* = Revista católica de las cuestiones sociales, Madrid.  
*RevEcInt* = Revue économique internationale, Paris.  
*RevGén* = Revue générale, Bruxelles.  
*RevInt* = Revue internationale de sociologie, Paris.  
*RevM* = Revue des deux mondes, Paris.  
*RevP* = Revue de Paris.  
*RevPM* = Revue de la prévoyance et de la mutualité, Paris.  
*RevSHA* = Revista social hispano-americana.  
*RevStat* = Revue de statistique, Paris.  
*RevTr* = Revue du travail, Bruxelles.  
*RG* = Railroad Gazette, New York.  
*RIC* = Revue internationale du chômage, Paris.  
*RiSoc* = Riforma Sociale, Torino-Roma.  
*RIL* = Rivista di diritto e giurisprudenza, patologia sociale e medicina forense sugli infortuni del lavoro e sulle disgrazie accidentali, Roma.  
*RISS* = Rivista internazionale di scienze sociali e discipline ausiliari, Roma.  
*RIT* = Rivista d'Italia, Roma.  
*RLM* = Revue de législation des mines et statistique des houillères en France et en Belgique, Lille et Bruxelles.  
*RM* = Revue maritime, Paris.  
*RN* = Rassegna nazionale, Firenze.  
*RP* = Rivista popolare di politica, lettere e scienze sociali, Roma.  
*RPP* = Revue politique et parlementaire, Paris.  
*RPRO* = Revue pratique des retraites ouvrières, Paris.  
*RR* = Revue (ancienne Revue des Revues), Paris.  
*RS* = Revue scientifique.  
*RSAT* = Revue suisse des accidents du travail, Genève.  
*RSC* = Revue socialiste catholique, Louvain.  
*RSoc* = Revue socialiste, Paris.  
*RSR* = Rivista social, Rio de Janeiro.  
*RSynd* = Revue syndicaliste, Paris.  
*RT* = Réveil des Tisseurs, St-Etienne.  
*RTL* = Rivista tecnico-legale, Palermo.  
*RUM* = Revue universelle des mines.  
  
*S* = Spettatore, Roma.  
*SA* = Suomen Ammatilijärjestö, Helsinki.  
*SaR* = Saturday Review, London.  
*SB* = Staats-Bürger, Leipzig und Berlin.  
*SBH* = Schweizerische Blätter für Handel und Industrie (Bulletin commercial et industriel suisse), Genf.  
*Sch* = Schuhmacherfachblatt, Gotha.  
*SchmJB* = Jahrbuch für Gesetzgebung, Verwaltung und Volkswirtschaft im Deutschen Reich, Leipzig (Schmoller).  
*SchmZ* = Schmiede-Zeitung, Hamburg.  
*SchwEis* = Schwäbische Eisenbahner, Stuttgart.  
*SchZ* = Schiffs-Zimmerer, Hamburg.  
*ScS* = Science sociale, Paris.  
*SD* = Social Democrat, London.  
*SDEZ* = Süddeutsche Eisenbahnzeitung.  
*Se* = Seemann, Berlin.  
*SE* = Szakszervezeti Ertesito, Budapest.  
*SEZ* = Schweiz. Eisenbahn-Zeitung, Burgdorf.  
*SF* = Sozialer Fortschritt, Leipzig.  
*SGF* = Soziale Gesetzgebung und die Frauen, Breslau.  
*SGZ* = Schweizerische Gewerbezeitung, Bern.  
*SH* = Schweizerisches Handelsamtsblatt, Bern.  
*SInd* = Sächsische Industrie.  
*SJDS* = Statistische Jahrbücher deutscher Städte, Breslau.  
*SK* = Soziale Kultur, M.-Gladbach.  
*SKC* = Schweiz. kaufmännisches Centralblatt, Zürich.  
*SKr* = Samfundets Krav, Kjöbenhavn.  
*SKV* = Schweizer Konsumverein, Basel.  
*SM* = Sozialistische Monatshefte, Berlin.  
*SMH* = Soziale Medizin und Hygiene, Hamburg.

*Sol* = Solidarität, Berlin.  
*SozK* = Sozialpolitische Korrespondenz des Volksvereins für das katholische Deutschland, M.-Gladbach.  
*SozR* = Soziale Revue, Essen.  
*SP* = Soziale Praxis, Berlin.  
*Spar* = Sparkasse, Hannover.  
*SR* = Soziale Rundschau, Wien.  
*SRV* = Soziale Rundschau (Wochenbeilage zum »Vaterland«), Wien.  
*St* = Steinarbeiter, Leipzig.  
*ST* = Sozial-Technik, Berlin.  
*StA* = Steinarbeiter, Zürich.  
*StatMGB* = Statistische Mitteilungen über das Grossherzogtum Baden, Karlsruhe.  
*StB* = Strassenbahner, Berlin (Beilage des Courier).  
*StE* = Stahl und Eisen, Düsseldorf.  
*StI* = Stickerei-Industrie, Buchs-Werdenberg.  
*StJBuk* = Statistisches Jahrbuch d. Bukowina.  
*StJEL* = Statistisches Jahrbuch für Elsass-Lothringen.  
*STid* = Social Tidskrift, Stockholm.  
*StK* = Statistische Korrespondenz, Berlin.  
*StM* = Statistische Monatsschrift, Brunn.  
*StMit* = Statistische Mitteilungen, Brunn.  
*StMW* = Statistische Monatsschrift der Stadt Wiesbaden.  
*StT* = Statsökonomisk Tidskrift.  
*StW* = Sanitätswarte, Berlin.  
*SpE* = Svensk Export.  
*SW* = Sociala Weekblad.  
*SWS* = Schweizerische Blätter für Wirtschafts- und Sozialpolitik, Bern.  
*SZ* = Sattler- und Portefeuille-Zeitung, Berlin.  
*SZG* = Schweiz. Zeitschrift für Gemeinnützigkeit, Zürich.  
  
*T* = Times (ES = Engineering Supplement; LS = Literary Supplement), London.  
*TA* = Tidskrift for Arbejderforsikring, Kjöbenhavn.  
*Tab* = Tabakarbeiter, Leipzig.  
*TabZ* = Deutsche Tabakarbeiter-Zeitung, Düsseldorf.  
*TAW* = Tonarbeiter, Wien.  
*Tel* = Telegraph, Bochum.  
*Tex* = Textilarbeiter, Berlin.  
*TexW* = Textilarbeiter, Wien.  
*TF* = Tidskrift for Førsørgelsesvæsen.  
*Tg* = Tag, Berlin.  
*ThA* = Thünen-Archiv, Organ für exakte Wirtschaftsforschung, Jena.  
*TI* = Tidskrift for Industria.  
*TIZ* = Tonindustrie-Zeitung, Berlin.  
*Tj* = Tijdschrift van het Centraal Bureau voor de Statistiek, 'sGravenhage.  
*TME* = Társadalmi Múzeum Ertesítője, Budapest.  
*TMN* = Tijdschrift der Maatschappij van Nijverheid.  
*TN* = Travail national, Paris.  
*Tö* = Töpfer, Berlin.  
*TR* = Technische Rundschau, Berlin.  
*TrCh* = Travail chrétien.  
*TSH* = Tijdschrift voor sociale Hygiene.  
*TU* = Trait de l'union, Liège.  
*TuW* = Technik und Wirtschaft.  
*TW* = Technisch Weekblad.  
*TxZ* = Deutsche Textilarbeiter-Zeitung, Spremberg.  
*Typ* = Typograph, Berlin.  
*TZ* = Textilarbeiter-Zeitung, Düsseldorf.  
  
*U* = Umschau, Frankfurt a. M.  
*Um* = Umanitaria, Milano.  
*UMM* = Union des industries métallurgiques et minières, Paris.  
*UP* = Union postale, Berne.  
  
*V* = Vorwärts, Berlin.  
*Vanz* = Vereinsanzeiger, Hamburg.

VB = Versicherungsbote, Oldenburg.  
 VBI = Volkswirtschaftliche Blätter, Berlin.  
 VBM = Verbands-Zeitung der Brauerei- und Mühlenarbeiter, Berlin.  
 VBF = Verbandsblatt (Brauer und Fassbinder), Wien.  
 Verb = Verbandsblätter. Organ des Verbandes deutscher Handlungsgehilfen und seiner Kassen zu Leipzig.  
 VI = Vita industriale, Terni.  
 VMU = Volkswirtschaftliche Mitteilungen aus Ungarn, Budapest.  
 VO = Vie ouvrière.  
 VP = Voix du peuple, Paris.  
 VRV = Vierteljahrsschau über das Versicherungswesen, Berlin.  
 VSt = Vierteljahrshäfte z. Statistik d. Deutschen Reiches, Berlin.  
 VT = Vragen des tijds, Haarlem.  
 Vv = Volksverein, München-Gladbach.  
 YW = Volkswirtschaftl. Wochenschrift, Wien.  
 Vz = Voz do Povo, Rio de Janeiro.

WA = Wiener Arbeiterzeitung.  
 WAZ = Weisdeutsche Arbeiterzeitung, M.-Gladbach.  
 WE = Weckruf der Eisenbahner, Berlin.  
 WG = Weckruf der Gemeindearbeiter, Wien.  
 WI = Werkmeister- und Industriebeamtenzeitung, Reichenberg.  
 WIN = Women's Industrial News, London.  
 WLL = World's Labour Laws, London.  
 WNG = Wochenschrift des niederösterreich. Gewerbevereins.  
 WRev = Westminster Review, London.  
 WW = World's Work, New York.  
 WTU = Women's Trade Union Review, London.  
 WZ = Werkmeisterzeitung, Düsseldorf.

YR = Yale Review, New Haven.

z = Zimmerer, Hamburg.

ZA = Zeitschrift für Armenwesen, Berlin.

ZB = Zeitschrift für Bergrecht, Berlin.

ZBIR = Zentralblatt für Reichsversicherung, Frankfurt a. M.

ZBSB = Zeitschrift des Kgl. Bayrischen Statistischen Bureaus, München.

ZCGD = Zentralblatt der christlichen Gewerkschaften Deutschlands, M.-Gladbach.

ZEA = Zentralorgan deutscher Eisenbahn-Werkstättenarbeiter, Elberfeld.

ZGH = Zeitschrift für Gewerbehygiene, Unfallverhütung und Arbeiterwohlfahrtsanrichtungen, Wien.

ZGU = Zeitschrift für gewerblichen Unterricht, Leipzig.

ZIE = Zeitschrift für den Internationalen Eisenbahntransport, Bern.

ZOH = Zentralorgan des Verbandes der Hausangestellten Deutschlands, Berlin.

ZP = Zeitschrift für Politik, Berlin.

ZPrSL = Zeitschrift des Kgl. Preuss. Statistischen Landesamtes, Berlin.

ZR = Zeitrund, Wien.

ZS = Zeitschrift für Sozialwissenschaft, Berlin.

ZSM = Zeitschrift für soziale Medizin, Leipzig.

ZSSSt = Zeitschrift für Schweiz. Statistik (= Journal de Statistique Suisse).

ZSSIL = Zeitschrift des Kgl. Sächsischen Statistischen Landesamtes, Dresden.

ZSt = Zeitschrift für die gesamte Staatswissenschaft, Tübingen.

Zu = Zukunft, Berlin.

ZVDI = Zeitschrift des Vereins Deutscher Ingenieure, Berlin.

ZVers = Zeitschrift für die gesamte Versicherungswissenschaft, Berlin.

ZVSV = Zeitschrift für Volkswirtschaft, Sozialpolitik und Verwaltung, Wien, Leipzig.

ZW = Zeitschrift für Wohnungswesen, Berlin.

ZWB = Zeitschrift f. Wohnungswesen in Bayern, München.

ZWH = Zeitschrift für weibliche Handlungsgehilfen, Berlin.

ZX = Zeitschrift für Xylographen, Berlin.

## 1. Arbeiterschutzgesetzgebung. — Législation protectrice du travail. — Labour Legislation.

### A. International.

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4. Notes on Labor Laws of 1910. NY 1911. 48.
5. Andrews, J. B. Tendencies of the Labor Legislation of 1910. *APSR* 1911. V. 2.
6. Farnam, H. W. Practical methods in labor legislation. *ALLR* 1911. 1.
7. Emery, J. A. Industrial legislation in the 3rd. session, 61st. Congress. *AI* 1911. XI. 9.
8. Bischler, E. E. Amerikanische Arbeiterschutzgesetzgebung. *NZ* 1911. XXIX. 39.
9. Legislación americana. *BDT* 1911. 18.
10. Schwanenflügel, C. W. Revisionen af Fabrikloven. *TA* 1911. III.
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12. Parkinson, H. The English Poor Law. *MSoc* 1911. XXXVI. Août.
13. Albrecht, F. Ueber den staatlichen Arbeiterschutz in England. *ST* 1911. X. Beilage zum 6. Heft.

14. Dominion Legislation affecting Labour = Législation fédérale affectant le travail. *DC* 1911. XII. 3.
15. British Columbia Legislation affecting Labour = Législation du travail de la Colombie Britannique. *DC* 1911. XII. 2.
16. Nova Scotia Legislation affecting Labour = Législation de la Nouvelle-Ecosse affectant le travail 1911. *DC* 1911. XII. 3.
17. Provincial Legislation = Législation d'Ontario, Québec, Nouveau Brunswick et la Saskatchewan affectant le travail 1911. *DC* 1911. XII. 6.
18. Wetsontwerp ter bescherming van den arbeid (Nederland) = Projet de loi portant la protection du travail. (Pays-Bas). *MCBS* 1911. VI. 9.
19. Revision de la loi sur le travail. *RevTr* 1911. XVI. 24.
20. Gerber, C. Zur Revision des Fabrikgesetzes (Schweiz). *SWS* 1911. XVIII. 15/16. — *GR* 1911. III. 1—11. — *RevTr* 1911. XVI. 16.
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22. Regulations for Logging and Mining Camps in British Columbia = Règlements pour les camps de bûcherons et de mineurs dans la Colombie Britannique. *DC* 1911. XII. 1.
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# **Bibliographie des Bulletins des Internationalen Arbeitsamtes.**

# **Bibliographie du Bulletin de l'Office International du Travail.**

# **Bibliography of the Bulletin of the International Labour Office.**

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428. Gérard, Cl. Le chômage en Angleterre et le fonctionnement des »Labour-Exchanges«. Paris, A. Rousseau.

**9. Arbeitsordnung und Arbeiterausschüsse. — Règlements du travail et délégués ouvriers. — Workmen's Committees.**

429. Kägi, H. Arbeitsordnung und Lohnregulativ für die Arbeiter der Stadtverwaltung Zürich. Anhang: Dienst- und Fabrikordnungen. VIII + 146. Zürich, Grütlischandlung, 1912. Fr. 3.10.

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430. Leitzmann, H. Boykott, Streik, Aussperrung, Sperre, Verrufserklärung als juristische Begriffe. 48 p. Leipzig, K. Wigand, 1911. M. 2.—.
431. Brentano, L. Der Schutz der Arbeitswilligen. Ein unpolitischer Vortrag über ein politisches Thema. 32 p. Berlin, L. Simian, 1912. M. 1.—.
432. Nötzel, K. Der Generalstreik als soziales Kampfmittel. 48 p. München, Hans Sachs-Verlag, 1911. M. —.80.
433. Streiks und Aussperrungen in den Jahren 1908—1910 in München. 7 p. München, J. Lindauer, 1911. M. —.20.
434. Jungbluth, Fr. Der Schutz der Gewerbebetriebe gegen Boykottaufrufen der Arbeitnehmervverbände. XII + 68 p. Berlin, P. Parey, 1911. M. 2.50.
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436. Winnig, A. Der grosse Kampf im deutschen Baugewerbe 1910. VII + 288 p. Berlin, Buchhandlung Vorwärts, 1911. M. 3.—.
437. Tischer, A. Der Kampf im deutschen Baugewerbe 1910. VIII + 158 p. München, Duncker & Humblot, 1912. M. 4.60.
438. Seilhac, L. de. Les grèves de l'année 1909—1910. 304 p. Paris, A. Rousseau, 1911. Frs. 3.50.
439. Rouger, E. La grève des employeurs. 182 p. Bordeaux, Cadoret, 1911.
440. La grève des mineurs du bassin de Liège. Rapport présenté à la section charbonnière de l'union des charbonnages, mines et usines métallurgiques de la province de Liège, par la commission nommée à cet effet, et approuvé à l'unanimité en séance du 20 janvier 1911. 27 p. Liège, G. Vaillant-Carmanne, 1911.
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444. Guyot, Y. Les chemins de fer et la grève. XIV + 330 p. Paris, F. Alcan, 1911. Frs. 3.50.
445. Sneevliet, H. Internationale klassenstrijd. De stakingen in het transportbedrijf. Met een voorrede van Henriette Roland Holst. 79 p. Utrecht, H. Sneevliet. Fl. —.20.

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447. Unfallgefahren und Unfallschutz in der Holzindustrie. 55 p. Berlin, Verlagsanstalt des Deutschen Holzarbeiter-Verbandes, 1912.
448. Schwedtmann, F. and Jacob, A. Accident Prevention and Relief; an Investigation of the Subject in Europe, with special Attention to England and Germany together with Recommendations for Action in the United States of America. XXXVI + 481 p. New-York, National Association of Manufacturers of the U.S.A. 1911. \$ 15.—.
449. Hauptbericht der Oberschlesischen Grubenbrand-Kommission. 81 p. Kattowitz, Selbstverlag, 1910.
450. Renard, Ch. et Villetard de Prunières, M. Le régime des accidents du travail. Paris, Les lois nouvelles.
451. Campbell, G. L. Industrial Accidents and their Compensation. London, Constable, 1911. 4s.
452. Rameri, S. Infortuni del lavoro: commento alla legge e al regolamento sugli infortuni del lavoro. 660 p. Torino, Lattes & Co., 1912.

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453. Potthoff, H. Probleme des Arbeitsrechts. 254 p. Jena, E. Diederichs, 1912. M. 4.—.
454. Baum, G. Das Recht des Arbeitsvertrages. IV + 106 p. Leipzig, G. A. Glöckner, 1911. M. 1.60.
455. Das preussische Gewerkschaftsrecht unter Berücksichtigung der übrigen deutschen Berggesetze. 381 p. Bonn, A. Marens & E. Weber, 1912. M. 7.—.
456. Gödel, F. Der Arbeitsvertrag der Landarbeiter. 65 p. Leipzig, 1910.
457. Hagelberg, E. Kommentar zum Reichsgesetz über die Sicherung der Bauforderungen vom 1. 6. 1909. XII + 472 p. Berlin, F. Vahlen, 1911. M. 9.—.
458. Mayer, F. und Grünberg, S. Kommentar zum Gesetz über den Dienstvertrag der Handlungsgehilfen und anderer Dienstnehmer in ähnlicher Stellung. (Handlungsgehilfengesetz). VII + 556 p. Wien, Manz, 1911. M. 11.—.
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461. Broda, R. Inwieweit ist eine gesetzliche Festlegung der Lohn- und Arbeitsbedingungen möglich. Erfahrungen Englands, Australiens und Kanadas. X + 286 p. Berlin, G. Reimer, 1912. M. 4.—.
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466. Selter, F. Ueber die Einführung von Tarifverträgen in den Grossbetrieben des Maschinenbaues und verwandter Industrien. 92 p. Berlin, A. Seydel, 1911. M. 2.40.
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470. Die Statistik des Tarifamtes der deutschen Buchdrucker von 1910 dem Tarifausschuss vorgelegt im August 1911. 27 p. Berlin, 1911.
471. De Visscher, Ch. Le contrat collectif de travail. Théories juridiques et projets législatifs. Préface de Raymond Saleilles. XXIII + 404 p. Gand, A. Siffer, 1911. Frs. 7.50.
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  479. Sekretariat des Schweizerischen Metallarbeiter-Verbandes. Die Akkordarbeit und ihre Begleiterscheinungen. 39 p. Bern, Unionsdruckerei, 1911.
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480. Gleichauf, W. Neuregelung des Koalitionsrechtes. 14 p. Berlin, Verband Deutscher Gewerkschaften, 1910.
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483. Carozzi, L. Medici e ispettorato del lavoro. 176 p. Cusana, A. Colombo e figli, 1911.

### 14. Arbeitszeit. Pausen. Sonntagsruhe. — Durée du travail. Repos. Repos hebdomadaire. — Hours of Work. Sunday Work etc.

Offizielle Publikationen — Publications officielles — Official Publications: Nr. 4, 65, 67, 84, 169.

484. Schmitz, W. Regelung der Arbeitszeit und Intensität der Arbeit. 160 p. + Tab. Rostock, 1910.
485. Deutsche Sektion der Internationalen Vereinigung für gesetzlichen Arbeiterschutz. (Hartmann, G.) Die Arbeitszeit in ununterbrochenen Betrieben der Gross-eisenindustrie. 23 p. Berlin, Gesellschaft für soziale Reform, 1912.
486. — (Wieber, Frz.) Die Arbeitszeit in ununterbrochenen Betrieben der Gross-eisenindustrie. 63 p. Berlin, Gesellschaft für soziale Reform, 1912.
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488. Denkschrift über die Arbeitszeiten der städtischen Arbeiter und Unterangestellten und die durch eine Verkürzung entstehenden Mehrausgaben. Stand vom Monat März 1909. 20 p. Frankfurt a/M., 1911.
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490. Viard, V. La réduction de la durée du travail de l'employé. Paris, Rousseau, 1910.
491. Vereeniging voor de Staathuishoudkunde en de Statistiek. Praeadviezen (van J. A. Levy, J. G. Schürmann, L. N. Roodenburg en D. P. D. Fabius) over het onderwerp: Is ingrijpen van de overheid in het sluitingsuur der winkels wenschelijk en zoo ja, van wie behoort het uit te gaan en op welke wijze te geschieden. 177 p. Den Haag, Nijhoff, 1911. Fl. 2,50.
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493. Hafner, K. Von der Nachtarbeit im Bäckergerwerbe. 46 p. Zürich, A. Tschopp, 1910.
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495. Prag. Handels- und Gewerbekammer. Abänderung der Vorschriften über die Ausnahmen von der Allgemeinen Sonntagsruhe. 30 p. Prag, Selbstverlag, 1911.
496. Puysegur, J. Etude de la loi du 17 juillet 1905 sur le repos hebdomadaire en Belgique et de son application. 218 p. Paris, Jouve, 1911.
497. Dukes, G. The Law relating to Sunday Travellers. 62 p. London, E. Wilson, 1911. 1s. 6d.

**15. Binnen-, Aus- und Einwanderung. Koloniarbeit. — Migrations, émigration et immigration. Colonisation. — Migration, Emigration and Immigration. Native Labour.**

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499. Minde-Pouet, G. 25 Jahre Ansiedelung. Zum 25. Jahrestage der königlichen Ansiedelungs-Kommission für Westpreussen und Posen in Posen 1886—1911. 56 p. Lissa i/P., O. Enlitz, 1911. M. —, 50.
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503. Srbik, Dr. Fr. Ritter v. Die Auswanderungsgesetzgebung. I. Die Grundzüge der wichtigsten europäischen Auswanderungsgesetze. II. Die wichtigsten europäischen Auswanderungsgesetze und ihre wichtigsten Vollzugsvorschriften. — Die Einwanderungsgesetzgebung. Die wichtigsten europäischen Einwanderungsgesetze und ihre wichtigsten Vollzugsvorschriften. V + 104, V + 332, IX + 184 p. Wien 1911.
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505. Mönckmeier, W. Die deutsche überseeische Auswanderung. Beitrag zur deutschen Wanderungsgeschichte. X + 269 p. Jena, G. Fischer, 1912. M. 9,—.
506. Hey, Fr. Unser Auswanderungswesen und seine Schäden. 19 p. Wien, C. Fromme, 1912. M. —, 35.
507. Gargas, S. Die österreichische Auswanderung und die heimische Landwirtschaft. 33 p. Wien, W. Frick, 1910. M. —, 80.
508. Markitan, F. Triest als Auswanderungshafen. 31 p. Wien, A. Opitz Nachfolger, 1911. M. 1,—.
509. Caro, Dr. L. Wychodźtwo polskie. Krakau, »Ojczyzna«, 1910.
510. Radziwill, Fürst, F. W sprawie wychodźstwa. Krakau, Selbstverlag, 1911.
511. Vadala, R. Les Maltais hors de Malte. Etude sur l'émigration maltaise. 109 p. Paris, A. Rousseau, 1911.
512. Il problema politico dell'emigrazione italiana e la questione della cittadinanza per un Italiano. IX + 246 p. Roma, Popolo romano, 1911.
513. Guazzone, A. L'emigrazione italiana e l'Argentina. 24 p. Torino, G. U. Cassone, 1911.
514. Pinsero, N. Il problema della emigrazione e la Dante Alighieri. 57 p. Modica, G. Maltese, 1911.
515. Marcelli, G. L'emigrazione e le condizioni dell'agricoltura in Toscana. XIII + 182 p. Arezzo, E. Sinatti, 1911. M. 3,50.
516. Bruccoleri, S. L'emigrazione siciliana, caratteri ed effetti secondo le più recenti inchieste. 27 p. Roma, coop. tip. Manuzio, 1911.
517. Russo, G. L'émigration et ses effets dans le midi de l'Italie. 225 p. Paris, M. Rivière, 1912. frs. 4,—.
518. Knoke, A. Ausländische Wanderarbeiter in Deutschland. III + 108 p. Leipzig, A. Deichert Nachfolger, 1911. M. 2,—.

519. Fairchild, H. P. Greek Immigration to the United States. 17 + 278 p. New-Haven, Yale University, 1911. § 2,—.
520. Balch, E. G. Our Slavic Fellow Citizens. 20 + 536 + ill. Charts. New-York, Charities Publications Committee, 1910. § 2,80.
521. Barth, Chr. G. Unsere Schutzgebiete nach ihren wirtschaftlichen Verhältnissen. Leipzig 1910.
522. Fischer, A. Die modernen Kolonialstaaten und ihr heutiger Besitzstand. XV + 180 p. Wien, A. Hölder, 1911. M. 3,60.
523. Paque, E. Onze kolonie. Praktische studie over Belgisch Congoland. 204 p. Brussel, Karel Bulens, 1911. Fr. 2,—.
524. Vandervelde, E. La Belgique et le Congo; le passé, le présent, l'avenir. Paris, Alcan, 1911.
525. Meynier, O. L'Afrique noire. 335 p. + 24 illustrations. Paris, Flammarion.
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529. Wilbrandt, R. Die Frauenarbeit. Ein Problem des Kapitalismus. 139 p. Leipzig, B. G. Teubner. M. 1,25.
530. Levy-Rathenau, J. Die deutsche Frau im Beruf. VII + 184 p. Berlin, W. Moeser, 1910. M. 3,50.
531. Lischnewska, M. Die handwerksmässige und fachgewerbliche Ausbildung der Frau. 30 p. Gautzsch b/Leipzig, F. Dietrich, 1910. M. —,10.
532. Hauff, L. Die Entwicklung der Frauenberufe in den letzten drei Jahrzehnten. Mit besonderer Berücksichtigung der beruflichen Entwicklung in Halle a/S. 170 p. Berlin, Puttkammer & Mühlbrecht, 1911. M. 3,20.
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534. Mill, J. St. The Subjection of Women; with a Foreword by Carrie Chapman Catt. XV + 223 p. New-York, Stockes, 1911. § —,60.
535. Chaboseau, A. La réglementation du travail des femmes et des enfants aux Etats-Unis. 211 p. Paris, M. Giard et E. Brière, 1911. Frs. 2,50.
536. Bosworth, L. M. The Living Wage of Women Workers. A Study of Incomes and Expenditures of fourhundred and fifty Women Workers in the City of Boston. VI + 90 p. Philadelphia, The American Academy of Political and Social Science, 1911. § 1,—.
537. Persons, C. E. Studies in Economic Relations of Women. Labor Laws and their Enforcement with Special Reference to Massachusetts. 22 + 419 p. New-York, Longmans, 1911. § 2,—.
538. Popp, A. Die Arbeiterin im Kampf ums Dasein. 2. Aufl. 32 p. Wien, Wiener Volksbuchhandlung, 1911. M. —,20.
539. Lainé, A. Les demoiselles de magasin à Paris. 270 p. Paris, A. Rousseau, 1911. Frs. 5,—.
540. — La situation des femmes employées dans les magasins de vente à Paris. 271 p. Paris, Rousseau, 1911.
541. Baroda, M. and Mitra, S. H. The Position of Women in Indian Life. 398 p. London, Longmans, 1911. 5s. —.
542. Hird, M. Woman at Work. 262 p. London, Chapman, 1911. 5s. —.
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544. Institut international d'agriculture Rome. Etudes monographiques sur la coopération agricole dans quelques pays. 1er volume: Allemagne, Belgique, Danemark, Empire Indo-Britannique, France, Grande Bretagne et Irlande, Norvège, Pays-Bas, Russie, Suède. XVI + 457 p. Rome, Imprimerie de la Chambre des Députés, 1911. Frs. 23,50.
545. Wygodzinski, W. Das Genossenschaftswesen in Deutschland. VI + 287 p. Leipzig, B. G. Teubner, 1911. M. 6,—.
546. Deumer, R. Das Recht der eingetragenen Genossenschaften. XII + 430 p. München, Duncker & Humblot, 1912. M. 12,—.
547. Köhne, K. Die Baugenossenschaften. 52 p. Berlin, W. Ernst & Sohn, 1912. M. 2,80.
548. Hauptverband Deutscher Gewerblicher Genossenschaften. Geschäftsstatistik für das Jahr 1909. 151 p. Berlin, Selbstverlag, 1911.
549. Barth, K. Bericht über die Entwicklung des Verbandes süddeutscher Konsumvereine vom Jahre der Gründung 1867 bis zum Austritt aus dem Allgemeinen Verbands 1902. 155 p. Hamburg, Zentralverband Deutscher Konsumvereine.
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551. Sparr, K. Das landwirtschaftliche Genossenschaftswesen in der Provinz Pommern. II. Auflage. 200 p. Stettin, Pommersche Reichspost, 1911.
552. Schwiendland, E. Die Wirtschaftsgenossenschaften. 40 p. Wien, Manz, 1912. M. 1,—.
553. Legrand, R. L'organisation corporative de la petite industrie allemande. VIII + 143 p. Paris, A. Rousseau, 1911.
554. Rivas, M. La coopération en Huelva. Huelva, Imprimerie du Diario, 1911.
555. Cernesson, J. Les associations ouvrières de production. 34 p. Paris, Typographie Ph. Renouard, 1911.
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558. McInnes, D. J. P. History of Co-operation in Lincoln 1861—1911. 135 p. Manchester, Co-operative Wholesale Society's Printing Work, 1911.
559. Murray, R. J. P. History of Barrhead Co-operative Society Ltd. 1861—1911. 175 p. Barrhead, Barrhead Co-operative Society, 1911.
560. Manual of the Dharma Samavaja Limited. A Central Organization for promoting Co-operative Credit, Trade, Industry Agriculture, Insurance, Sanitation, and Education. Calcutta, Dharma Samavaja Ltd., 1911.
561. Hillmann, A. Jüdisches Genossenschaftswesen in Russland. 122 p. Berlin, Bureau für Statistik der Juden, 1912. M. 2,—.
562. Kooperativa Förbundet. Styrelse-ock Revisions-Berättelser 1910. Till Kooperativa Förbundets Kongress 1911. 88 p. Stockholm, 1911.

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563. Bernstein, R. Die Berufskrankheiten der Land- und Forstarbeiter. Mit besonderer Berücksichtigung ihrer Berufshygiene. 211 p. Stuttgart, C. Enke, 1911. M. 6,—.
564. Andrews, J. B. The Beginning of Occupational Disease Reports. 4 p. Chicago, American Medical Association, 1911.
565. Brezina, Dr. Die Beschaffenheit der Luft in kleingewerblichen Betrieben Wiens. (Wiener Arbeiten aus dem Gebiete der Sozialen Medizin. Herausgeber Dr. L. Teleky.) Wien, M. Perles, 1910.

566. Handels- und Gewerbekammer Prag. Verhandlungen. Bericht der Gewerbesektion über die Entwürfe der Ministerialverordnungen zum Schutze des Lebens und der Gesundheit der bei der Zuckererzeugung beziehungsweise Papierfabrikation beschäftigten Hilfsarbeiter. 91 p. Prag, Selbstverlag, 1911.
  567. Breton, J. L. Les maladies professionnelles. 358 p. Paris, H. Dunod & E. Pinat, 1911. Frs. 3.50.
  568. Briault, F. Recherches expérimentelles sur les conditions physiologiques du travail des ouvriers sableurs. Paris, 1910/1911.
  569. Redmayne, R. A. S. Modern Practice in Mining. Vol. 4: The Ventilation of Mines. 246 p. London, Longmans, 1911. 6 s. 6 d.
  570. Asociación internacional para la protección legal de los trabajadores (Sección española). El trabajo en las cámaras de aire (Tallada, M.). 14 p. Madrid, M. Servet.
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  576. Rambousek, J. Gewerbliche Vergiftungen, deren Vorkommen, Erscheinungen. Behandlung, Verhütung. 431 p. Leipzig, Veit & Comp., 1911.
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  578. Pagels, E. Welche Forderungen stellt die Hygiene bei der Verwendung des Bleies in der Akkumulatorenindustrie? 58 p. Leipzig, 1910.
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603. Martin, P. Le travail des enfants en Allemagne et sa réglementation légale. 179 p. Paris, Rousseau, 1911.
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609. Lacoste, G., de. Le travail de nuit des enfants. Paris, Cornély, 1911.
610. Mc Millan, M. The Child and the State. 204 p. London, National Labour Press, 1911. 1s.

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630. Earp, E. L. The Social Engineer. XXIII + 326 p. New-York, Eaton and M., 1911. \$ 1,50.

631. Schultze-Grossborstel, E. Streifzüge durch das nordamerikanische Wirtschaftsleben. 228 p. Halle a/S., Verlag der Buchhdlg. d. Waisenhauses, 1910. M. 5,—.
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664. Harris, H. J. The Workmen's Insurance Code of July 19<sup>th</sup> 1911 of Germany. 174 p. Washington, United States Bureau of Labor, 1911.
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670. Richard, P. J. Etude sur l'assurance complémentaire de l'assurance sur la vie. Avec de nombreux développements sur les assurances contre la maladie et l'invalidité. 125 p. Paris, Hermann, 1911.
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679. Atti del consiglio della previdenza e delle assicurazioni sociali: 3. sess. del 1910. 147 p. Roma, Tip. Nazionale, 1911. L. 2.—.
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684. Lass, L., Olshausen, A., Weymann, K. Reichsversicherungsordnung I. Band: Krankenversicherung, erläutert von Olshausen. XII + 634 p. Berlin, O. Häring, 1916. M. 16.—.
685. Arzt und Privatversicherung. Bibliothek für soziale Medizin Nr. 5. 102 p. Berlin, Allgemeine Mediz. Verlagsanstalt, 1912. M. 2.—.
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693. Richard, E. Der Gewerbestand und die Kranken- und Unfall-Versicherung. 8 p. Zürich, J. Frey, 1911.
694. Hirter. Das Bundesgesetz über die Kranken- und Unfallversicherung. 52 p. Bern, A. Francke, 1911. Fr. —,50.
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699. — Gegen das Monopol der Eidgenössischen Kranken- und Unfall-Versicherung. 7 p. Glarus, D. Hefti & O. Bartel, 1912.
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703. Leitfaden zur Kenntnis der Referendumsvorlage vom 4. Februar 1912: Bundesgesetz über die Kranken- und Unfallversicherung vom 13. Juni 1911. IV + 60 p. Zürich, Gebr. Leemann & Co., 1911.
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# **Bibliographie des Bulletins des Internationalen Arbeitsamtes.**

## **Bibliographie du Bulletin de l'Office International du Travail.**

### **Bibliography of the Bulletin of the International Labour Office.**

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**1912. No. 3.**

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#### **Zeitschriftenschau. — Périodiques. — Periodicals. No. 2.**

(1. VII. 1911. — 31. XII. 1912.)

Nachtrag zum Abkürzungsverzeichnis S. 1 — Supplément à la liste des abréviations p. 1 — Supplement to the list of abbreviations p. 1: *MIG* = Mitteilungen des Institutes für Gewerbehygiene, Frankfurt. — *SAZ* = Schweizerische Arbeitgeber-Zeitung = Journal des Associations patronales, Zürich.

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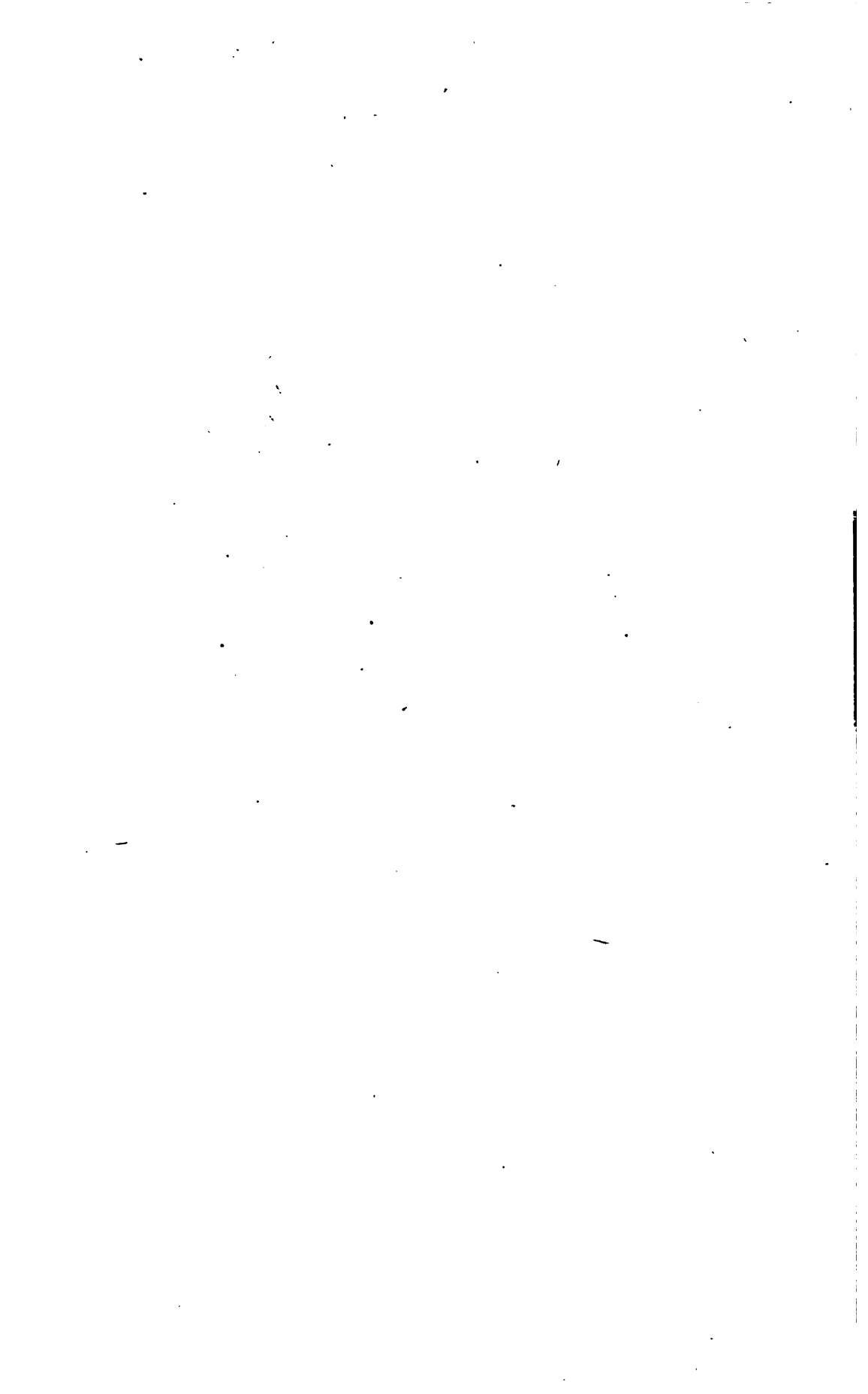
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# International Association for Labour Legislation.

Central Office: BASLE, SWITZERLAND.

## OBJECTS.

1. To serve as a bond of union to all who believe in the necessity for Labour Legislation.
2. To organise an International Labour Office.
3. To facilitate the study of Labour Legislation in all countries and to provide information on the subject.
4. To promote international agreements on questions relating to conditions of labour.
5. To organise International Congresses on Labour Legislation.

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